900 60th Street Rezoning

Environmental Assessment Statement

PREPARED FOR

Montperia Group, LLC
60-20 Woodside Avenue, 2nd Floor
Queens, NY 11377

CEQR/ULURP # Pending

PREPARED BY

One Penn Plaza
Suite 715
New York, NY 10119
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March 23, 2026

City Environmental Quality Review
ENVIRONMENTAL ASSESSMENT STATEMENT (EAS) SHORT FORM

FOR UNLISTED ACTIONS ONLY • *Please fill out and submit to the appropriate agency* (see instructions)

Part I: GENERAL INFORMATION

1. *Does the Action Exceed Any Type I Threshold in 6 NYCRR Part 617.4 or 43 RCNY §6-15(A) (Executive Order 91 of 1977, as amended)?* ☐ YES ☒ NO

If "yes," **STOP** and **complete the FULL EAS FORM**.

2. *Project Name* 900 60th Street Rezoning

3. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
78DCP177K	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)
Pending	

4a. *Lead Agency Information*			**4b. *Applicant Information***		
NAME OF LEAD AGENCY			NAME OF APPLICANT		
New York City Department of City Planning			90060 AMG LLC		
NAME OF LEAD AGENCY CONTACT PERSON			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON		
Stephanie Shellooe, AICP, Director, Environmental Assessment and Review Division			Michael Zoltan Greenberg Traurig, LLP		
ADDRESS 120 Broadway, 31st Floor			ADDRESS One Vanderbilt Avenue		
CITY New York	STATE NY	ZIP 10271	CITY New York	STATE NY	ZIP 10017
TELEPHONE 212-720-3328	EMAIL sshellooe@planning.nyc.gov		TELEPHONE 212-801-9338	EMAIL michael.zoltan@gtlaw.com	

5. *Project Description*

The Applicant, 90060 AMG LLC, is seeking a zoning map amendment to rezone Brooklyn Block 5715, Lots 1, 2, 3, 4, and 6 (the Rezoning Area) from the existing M1-1 zoning district to a C4-5X zoning district and a zoning text amendment to Appendix F of New York City Zoning Resolution (ZR) to designate a Mandatory Inclusionary Housing (MIH) area coterminous with the Rezoning Area boundary (the Proposed Actions). The Proposed Actions would facilitate the development of a new approximately 144,834-gross-square-foot (gsf) mixed-use residential and commercial building (6.0 Floor Area Ratio [FAR]) at 900 60th Street (Block 5715, Lot 6; the Development Site) in the Sunset Park neighborhood of Brooklyn, Community District 12. The development would consist of an approximately 115,379 gsf (96,045-zoning square feet [zsf]) of residential space (including 4,947 gsf of mechanical), approximately 11,955 gsf of commercial retail space on the ground floor, and 50 non-attended accessory parking spaces on the cellar level (the Proposed Project). The Proposed Project would provide approximately 140 dwelling units, 28 to 42 units (20 to 30 percent) of which would be affordable at an average of 40 to 80 percent Area Median Income (AMI) pursuant to MIH requirements. The building would be 12 stories and approximately 145 feet tall (190 feet including bulkhead).

Project Location

BOROUGH Brooklyn	COMMUNITY DISTRICT(S) 12	STREET ADDRESS 900 60th Street
TAX BLOCK(S) AND LOT(S) Block 5715, Lots 1, 2, 3, 4, and 6		ZIP CODE 11220

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS The Rezoning Area block is bounded by 60th Street to the northeast, 61st Street to the southwest, 9th Avenue to the northwest, and Fort Hamilton Parkway to the east. Both 9th Avenue and 60th Street are wide, two-way streets. 61st Street is a northwest bound, narrow, one-way street.

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY M1-1, Outer Transit Zone	ZONING SECTIONAL MAP NUMBER 22a

6. *Required Actions or Approvals* (check all that apply)

City Planning Commission: ☒ YES ☐ NO ☒ UNIFORM LAND USE REVIEW PROCEDURE (ULURP)

☐ CITY MAP AMENDMENT	☐ ZONING CERTIFICATION	☐ CONCESSION
☒ ZONING MAP AMENDMENT	☐ ZONING AUTHORIZATION	☐ UDAAP
☒ ZONING TEXT AMENDMENT	☐ ACQUISITION—REAL PROPERTY	☐ REVOCABLE CONSENT
☐ SITE SELECTION—PUBLIC FACILITY	☐ DISPOSITION—REAL PROPERTY	☐ FRANCHISE

☐ HOUSING PLAN & PROJECT ☐ OTHER, explain:
☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

***Board of Standards and Appeals*:** ☐ YES ☒ NO
☐ VARIANCE (use)
☐ VARIANCE (bulk)
☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

***Department of Environmental Protection*:** ☐ YES ☒ NO ☐ Cogeneration Facility ☐ Title V Permit

Other City Approvals Subject to CEQR (check all that apply)
☐ LEGISLATION
☐ RULEMAKING
☐ CONSTRUCTION OF PUBLIC FACILITIES
☐ 384(b)(4) APPROVAL
☐ OTHER, explain:
☐ FUNDING OF CONSTRUCTION, specify:
☐ POLICY OR PLAN, specify:
☐ FUNDING OF PROGRAMS, specify:
☐ PERMITS, specify:

Other City Approvals Not Subject to CEQR (check all that apply)
☐ PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC)
☐ LANDMARKS PRESERVATION COMMISSION APPROVAL
☐ OTHER, explain:

***State or Federal Actions/Approvals/Funding*:** ☐ YES ☒ NO If "yes," specify:

7. *Site Description:* *The directly affected area consists of the project site and the area subject to any change in regulatory controls. Except where otherwise indicated, provide the following information with regard to the directly affected area.*

***Graphics*:** *The following graphics must be attached and each box must be checked off before the EAS is complete. Each map must clearly depict the boundaries of the directly affected area or areas and indicate a 400-foot radius drawn from the outer boundaries of the project site. Maps may not exceed 11 x 17 inches in size and, for paper filings, must be folded to 8.5 x 11 inches.*

☒ SITE LOCATION MAP ☒ ZONING MAP ☒ SANBORN OR OTHER LAND USE MAP
☒ TAX MAP ☐ FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S)
☒ PHOTOGRAPHS OF THE PROJECT SITE TAKEN WITHIN 6 MONTHS OF EAS SUBMISSION AND KEYED TO THE SITE LOCATION MAP

Physical Setting (both developed and undeveloped areas)
Total directly affected area (sq. ft.): 28,000
Waterbody area (sq. ft) and type: N/A
Roads, buildings, and other paved surfaces (sq. ft.): N/A
Other, describe (sq. ft.): N/A

8. *Physical Dimensions and Scale of Project* (if the project affects multiple sites, provide the total development facilitated by the action)
SIZE OF PROJECT TO BE DEVELOPED (gross square feet): 144,834
NUMBER OF BUILDINGS: 1
GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 144,834
HEIGHT OF EACH BUILDING (ft.): 145 feet (approximately 190 feet including bulkhead)
NUMBER OF STORIES OF EACH BUILDING: 12

Does the proposed project involve changes in zoning on one or more sites? ☒ YES ☐ NO
If "yes," specify: The total square feet owned or controlled by the applicant: 18,000
The total square feet not owned or controlled by the applicant: 10,000

Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? ☒ YES ☐ NO
If "yes," indicate the estimated area and volume dimensions of subsurface permanent and temporary disturbance (if known):
AREA OF TEMPORARY DISTURBANCE: 18,000 sq. ft. (width x length)
VOLUME OF DISTURBANCE: 180,000 (100x180x10) cubic ft. (width x length x depth)
AREA OF PERMANENT DISTURBANCE: 18,000 sq. ft. (width x length)

Description of Proposed Uses (please complete the following information as appropriate)

	Residential	***Commercial***	***Community Facility***	***Industrial/Manufacturing***
Size (in gross sq. ft.)	115,379	11,955	-	-
Type (*e.g.,* retail, office, school)	140 units	retail	-	-

Does the proposed project increase the population of residents and/or on-site workers? ☒ YES ☐ NO
If "yes," please specify:
NUMBER OF ADDITIONAL RESIDENTS: 486
NUMBER OF ADDITIONAL WORKERS: -18
Provide a brief explanation of how these numbers were determined: Residents based on the average household size of 3.47 for

Brooklyn Community District 12 (Population FactFinder; 2020 Census). Workers calculated based on 3 employees per 1,000 gsf of retail; 1 employee per 25 dwelling units, minus existing/No-Action workers.

Does the proposed project create new open space? ☐ YES ☒ NO If "yes," specify size of project-created open space: sq. ft.

Has a No-Action scenario been defined for this project that differs from the existing condition? ☐ YES ☐ NO

If "yes," see Chapter 2, "Establishing the Analysis Framework" and describe briefly:

9. *Analysis Year* CEQR Technical Manual Chapter 2

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2029

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 22 months

WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☒ YES ☐ NO | IF MULTIPLE PHASES, HOW MANY?

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE: Demolition (4 months), excavation/foundation (6 months), superstructure (6 months), interior fit out (6 months)

10. *Predominant Land Use in the Vicinity of the Project* (check all that apply)

☒ RESIDENTIAL ☒ MANUFACTURING ☒ COMMERCIAL ☐ PARK/FOREST/OPEN SPACE ☒ OTHER, specify: Transportation

Part II: TECHNICAL ANALYSIS

INSTRUCTIONS: For each of the analysis categories listed in this section, assess the proposed project's impacts based on the thresholds and criteria presented in the CEQR Technical Manual. Check each box that applies.

- If the proposed project can be demonstrated not to meet or exceed the threshold, check the "no" box.
- If the proposed project will meet or exceed the threshold, or if this cannot be determined, check the "yes" box.
- For each "yes" response, provide additional analyses (and, if needed, attach supporting information) based on guidance in the CEQR Technical Manual to determine whether the potential for significant impacts exists. Please note that a "yes" answer does not mean that an EIS must be prepared—it means that more information may be required for the lead agency to make a determination of significance.
- The lead agency, upon reviewing Part II, may require an applicant to provide additional information to support the Short EAS Form. For example, if a question is answered "no," an agency may request a short explanation for this response.

	YES	NO
1. *LAND USE, ZONING, AND PUBLIC POLICY*: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use and/or zoning different from the surrounding area?	☒	☐
(b) Is there the potential to affect an applicable public policy?	☒	☐
(c) If "yes," to (a) and/or (b), complete a preliminary assessment and attach. See EAS Part II		
(d) Is the project a large, publicly sponsored project?	☐	☒
○ If "yes," complete a OneNYC assessment and attach.		
(e) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries?	☐	☒
○ If "yes," complete the Consistency Assessment Form.		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
○ Generate a net increase of 250 or more residential units?	☐	☒
○ Generate a net increase of 200,000 or more square feet of commercial space?	☐	☒
○ Directly displace more than 500 residents?	☐	☒
○ Directly displace more than 100 employees?	☐	☒
○ Create a retail concentration?	☐	☒
○ Affect conditions in a specific industry?	☐	☒
3. *COMMUNITY FACILITIES*: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
○ Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, hospitals and other health care facilities, day care centers, police stations, or fire stations?	☐	☒
(b) Indirect Effects		
○ **Early Childhood Programs:** Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ **Public Schools:** Would the project result in 100 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ **Libraries:** Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in Chapter 6)	☐	☒
○ **Health Care Facilities and Fire/Police Protection:** Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
4. *OPEN SPACE*: CEQR Technical Manual Chapter 7		
(a) Would the project change or eliminate existing open space?	☐	☒
(b) Would the project generate a net increase of more than 175 residential units in an existing R1-R4 district or 250 units in an existing R5 or above, C, or M district?		
(c) Would the project generate more than 500 additional employees?	☐	☒
5. *SHADOWS*: CEQR Technical Manual Chapter 8		
(a) Would the proposed project result in with-action structures of 250 feet or more?	☐	☒
(b) Would the proposed project result in in with-action structures between 50-250 feet and be located adjacent to, within, or across the street from a sunlight-sensitive resource?	☐	☒

	YES	NO
(c) Would the proposed project result in greater than 50 feet of incremental height change or substantial changes in bulk?	☒	☐
6. *HISTORIC AND CULTURAL RESOURCES*: CEQR Technical Manual Chapter 9		
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the GIS System for Archaeology and National Register to confirm)	☐	☒
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	☒	☐
(c) If "yes" to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources. See EAS Part II		
7. *URBAN DESIGN AND VISUAL RESOURCES*: CEQR Technical Manual Chapter 10		
(a) Would the proposed project result in a building over 250 feet tall, have a project area greater than 1.5 acres or be classified as a general large-scale development?	☐	☒
(b) Does the project require a special permit to allow the modification of bulk and yard requirements or special uses?	☐	☒
(c) Does the proposed project introduce new, or change the location of, streets or public open spaces?	☐	☒
(d) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning?	☐	☒
8. *NATURAL RESOURCES*: CEQR Technical Manual Chapter 11		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11?	☐	☒
○ If "yes," list the resources and attach supporting information on whether the proposed project would affect any of these resources.		
(b) Is any part of the directly affected area within the Jamaica Bay Watershed?	☐	☒
○ If "yes," complete the Jamaica Bay Watershed Protection Plan Project Tracking Form, and submit according to its instructions.		
9. *HAZARDOUS MATERIALS*: CEQR Technical Manual Chapter 12		
(a) Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?	☐	☒
(b) Would the proposed project introduce new activities or processes using hazardous materials and increase the risk of human or environmental exposure?	☐	☒
(c) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?	☐	☒
(d) Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in the Hazardous Materials Appendix (including nonconforming uses)?	☒	☐
(e) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin?	☐	☒
(f) Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (*e.g.*, gas stations, oil storage facilities, heating oil storage)?	☐	☒
(g) Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint?	☐	☒
(h) Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators?	☐	☒
(i) Has a Phase I Environmental Site Assessment been performed for the site?	☒	☐
○ If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify: See EAS Part II	☐	☐
(j) Based on the Phase I Assessment, is a Phase II Investigation needed? See EAS Part II	☐	☐
10. *WATER AND SEWER INFRASTRUCTURE*: CEQR Technical Manual Chapter 13		
(a) Would the project result in water demand of more than one million gallons per day?	☐	☒
(b) If the proposed project located in a combined sewer area, would it result in at least 1,000 residential units or 250,000 square feet or more of commercial space in Manhattan, or at least 400 residential units or 150,000 square feet or more of commercial space in the Bronx, Brooklyn, Staten Island, or Queens?	☐	☒
(c) If the proposed project located in a separately sewered area, would it result in the same or greater development than the amounts listed in Table 13-1 in Chapter 13?	☐	☒
(d) Would the proposed project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	☐	☒

	YES	NO
(e) If the project is located within the Jamaica Bay Watershed or in certain specific drainage areas, including Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it involve development on a site that is 1 acre or larger where the amount of impervious surface would increase?	☐	☒
(f) Would the proposed project be located in an area that is partially sewered or currently unsewered?	☐	☒
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or generate contaminated stormwater in a separate storm sewer system?	☐	☒
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☒
11. *SOLID WASTE AND SANITATION SERVICES*: CEQR Technical Manual Chapter 14		
(a) Using Table 14-1 in Chapter 14, the project's projected operational solid waste generation is estimated to be (pounds per week): 4,141 incremental pounds/week		
○ Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	☐	☒
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	☐	☒
12. *ENERGY*: CEQR Technical Manual Chapter 15		
(a) Using energy modeling or Table 15-1 in Chapter 15, the project's projected energy use is estimated to be (annual BTUs): 17,204,386 Mbtu		
(b) Would the proposed project affect the transmission or generation of energy?	☐	☒
13. *TRANSPORTATION*: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16?	☐	☒
(b) If "yes," conduct the screening analyses, attach appropriate back up data as needed for each stage and answer the following questions:		
○ Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	☐	☐
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? ***It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.*	☐	☐
○ Would the proposed project result in more than 200 subway/rail, bus trips, or 50 Citywide Ferry Service ferry trips per project peak hour?	☐	☐
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction), 200 subway/rail trips per station or line, or 25 or more Citywide Ferry Service ferry trips on a single route (in one direction), or 50 or more passengers at a Citywide Ferry Service landing?	☐	☐
○ Would the proposed project result in more than 200 pedestrian trips per project peak hour?	☐	☐
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop, or Citywide Ferry Service landing?	☐	☐
14. *AIR QUALITY*: CEQR Technical Manual Chapter 17		
(a) *Mobile Sources*: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17?	☐	☒
(b) *Stationary Sources*: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17?	☒	☐
○ If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed)	☐	☒
(c) Does the proposed project involve multiple buildings on the project site?	☐	☒
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	☐	☐
(e) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	☐	☒
15. *GREENHOUSE GAS EMISSIONS*: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	☐	☒
(b) Would the proposed project fundamentally change the City's solid waste management system?	☐	☒
(c) If "yes" to any of the above, would the project require a GHG emissions assessment based on the guidance in Chapter 18?	☐	☒
16. *NOISE*: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	☐	☒
(b) Would the proposed project introduce new or additional receptors (see Section 114 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	☒	☐

	YES	NO
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	☐	☒
(d) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	☐	☒
17. *PUBLIC HEALTH*: CEQR Technical Manual Chapter 20		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise?	☐	☒
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in Chapter 20, "Public Health." Attach a preliminary analysis, if necessary.		
18. *NEIGHBORHOOD CHARACTER*: CEQR Technical Manual Chapter 21		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise?	☐	☒
(b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in Chapter 21, "Neighborhood Character." Attach a preliminary analysis, if necessary.		
19. *CONSTRUCTION*: CEQR Technical Manual Chapter 22		
(a) Would the project's construction activities involve:		
○ Construction activities lasting longer than two years?	☐	☒
○ Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	☒	☐
○ Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, *etc.*)?	☒	☐
○ Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	☐	☒
○ The operation of several pieces of diesel equipment in a single location at peak construction?	☐	☒
○ Closure of a community facility or disruption in its services?	☐	☒
○ Activities within 400 feet of a historic or cultural resource?	☐	☒
○ Disturbance of a site containing or adjacent to a site containing natural resources?	☐	☒
○ Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall?	☐	☒
(b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in Chapter 22, "Construction." It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination. See EAS Part II		

20. *APPLICANT'S CERTIFICATION*

I swear or affirm under oath and subject to the penalties for perjury that the information provided in this Environmental Assessment Statement (EAS) is true and accurate to the best of my knowledge and belief, based upon my personal knowledge and familiarity with the information described herein and after examination of the pertinent books and records and/or after inquiry of persons who have personal knowledge of such information or who have examined pertinent books and records.

Still under oath, I further swear or affirm that I make this statement in my capacity as the applicant or representative of the entity that seeks the permits, approvals, funding, or other governmental action(s) described in this EAS.

APPLICANT/REPRESENTATIVE NAME	DATE
Rachel Antelmi, AICP	March 23, 2026

SIGNATURE

PLEASE NOTE THAT APPLICANTS MAY BE REQUIRED TO SUBSTANTIATE RESPONSES IN THIS FORM AT THE DISCRETION OF THE LEAD AGENCY SO THAT IT MAY SUPPORT ITS DETERMINATION OF SIGNIFICANCE.

Part III: DETERMINATION OF SIGNIFICANCE (To Be Completed by Lead Agency)

INSTRUCTIONS: In completing Part III, the lead agency should consult 6 NYCRR 617.7 and 43 RCNY § 6-06 (Executive Order 91 or 1977, as amended), which contain the State and City criteria for determining significance.

1. For each of the impact categories listed below, consider whether the project may have a significant adverse effect on the environment, taking into account its (a) location; (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude.

IMPACT CATEGORY	Potentially Significant Adverse Impact YES	NO
Land Use, Zoning, and Public Policy	☐	☐
Socioeconomic Conditions	☐	☐
Community Facilities and Services	☐	☐
Open Space	☐	☐
Shadows	☐	☐
Historic and Cultural Resources	☐	☐
Urban Design/Visual Resources	☐	☐
Natural Resources	☐	☐
Hazardous Materials	☐	☐
Water and Sewer Infrastructure	☐	☐
Solid Waste and Sanitation Services	☐	☐
Energy	☐	☐
Transportation	☐	☐
Air Quality	☐	☐
Greenhouse Gas Emissions	☐	☐
Noise	☐	☐
Public Health	☐	☐
Neighborhood Character	☐	☐
Construction	☐	☐

2. Does the project have the potential to disproportionately affect disadvantaged communities, or cause or increase a disproportionate pollution burden on a disadvantaged community. ☐ YES ☐ NO

3. Are there any aspects of the project relevant to the determination of whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials? ☐ YES ☐ NO

If there are such impacts, attach an explanation stating whether, as a result of them, the project may have a significant impact on the environment.

4. Check determination to be issued by the lead agency:

☐ **Positive Declaration**: If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a *Positive Declaration* and prepares a draft Scope of Work for the Environmental Impact Statement (EIS).

☐ **Conditional Negative Declaration:** A *Conditional Negative Declaration* (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result. The CND is prepared as a separate document and is subject to the requirements of 6 NYCRR Part 617.

☐ **Negative Declaration:** If the lead agency has determined that the project would not result in potentially significant adverse environmental impacts, then the lead agency issues a *Negative Declaration*. The *Negative Declaration* may be prepared as a separate document (see template) or using the embedded Negative Declaration on the next page.

5. ***LEAD AGENCY'S CERTIFICATION***

TITLE	LEAD AGENCY
NAME	DATE
SIGNATURE	

NEGATIVE DECLARATION (Use of this form is optional)

Statement of No Significant Effect

Pursuant to Executive Order 91 of 1977, as amended, and the Rules of Procedure for City Environmental Quality Review, found at Title 62, Chapter 5 of the Rules of the City of New York and 6 NYCRR, Part 617, State Environmental Quality Review, assumed the role of lead agency for the environmental review of the proposed project. Based on a review of information about the project contained in this environmental assessment statement and any attachments hereto, which are incorporated by reference herein, the lead agency has determined that the proposed project would not have a significant adverse impact on the environment.

Reasons Supporting this Determination

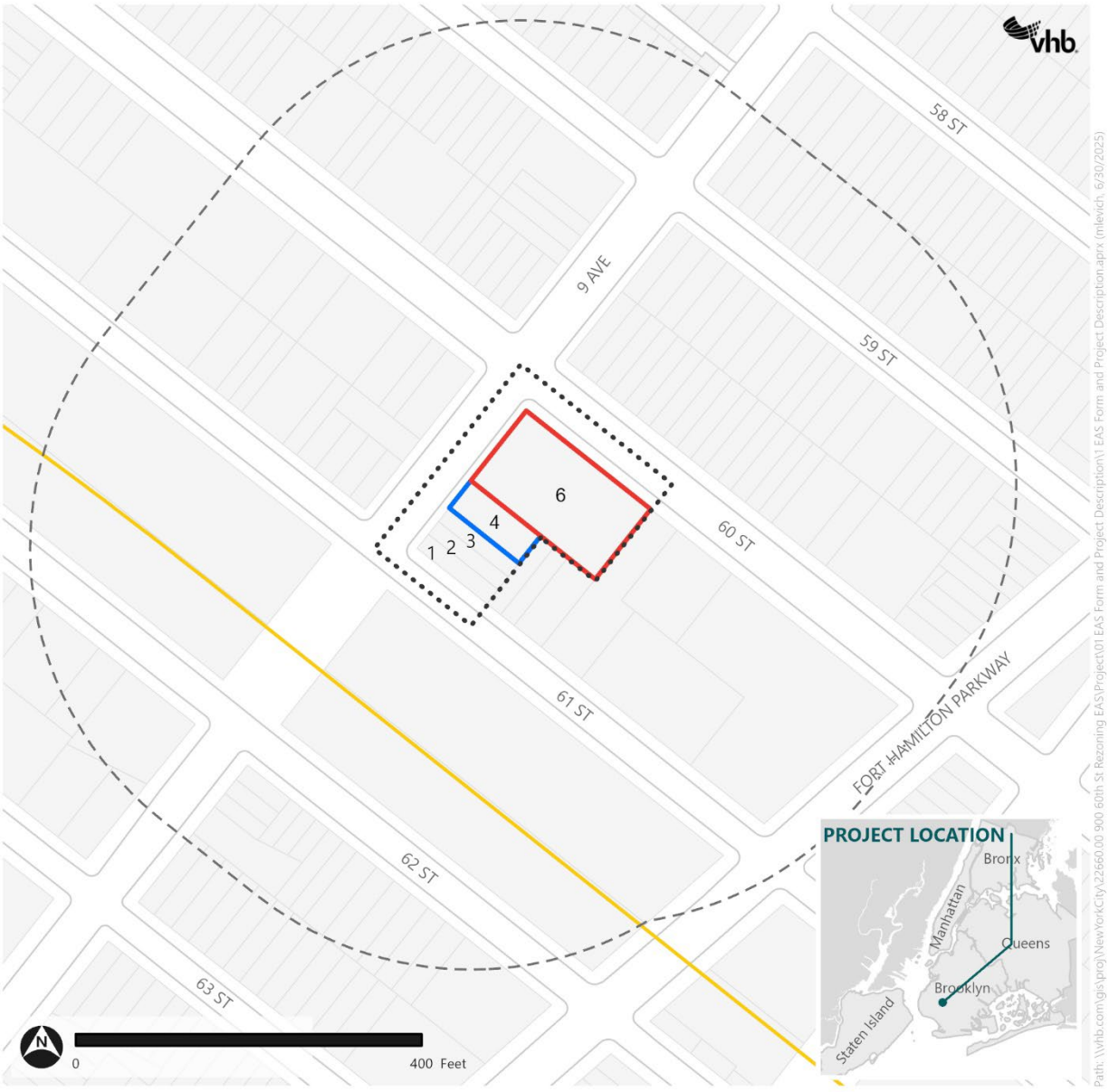
The above determination is based on information contained in this EAS, which finds that the proposed project:

No other significant effects upon the environment that would require the preparation of a Draft Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law (SEQRA).

TITLE	LEAD AGENCY
NAME	DATE
SIGNATURE	

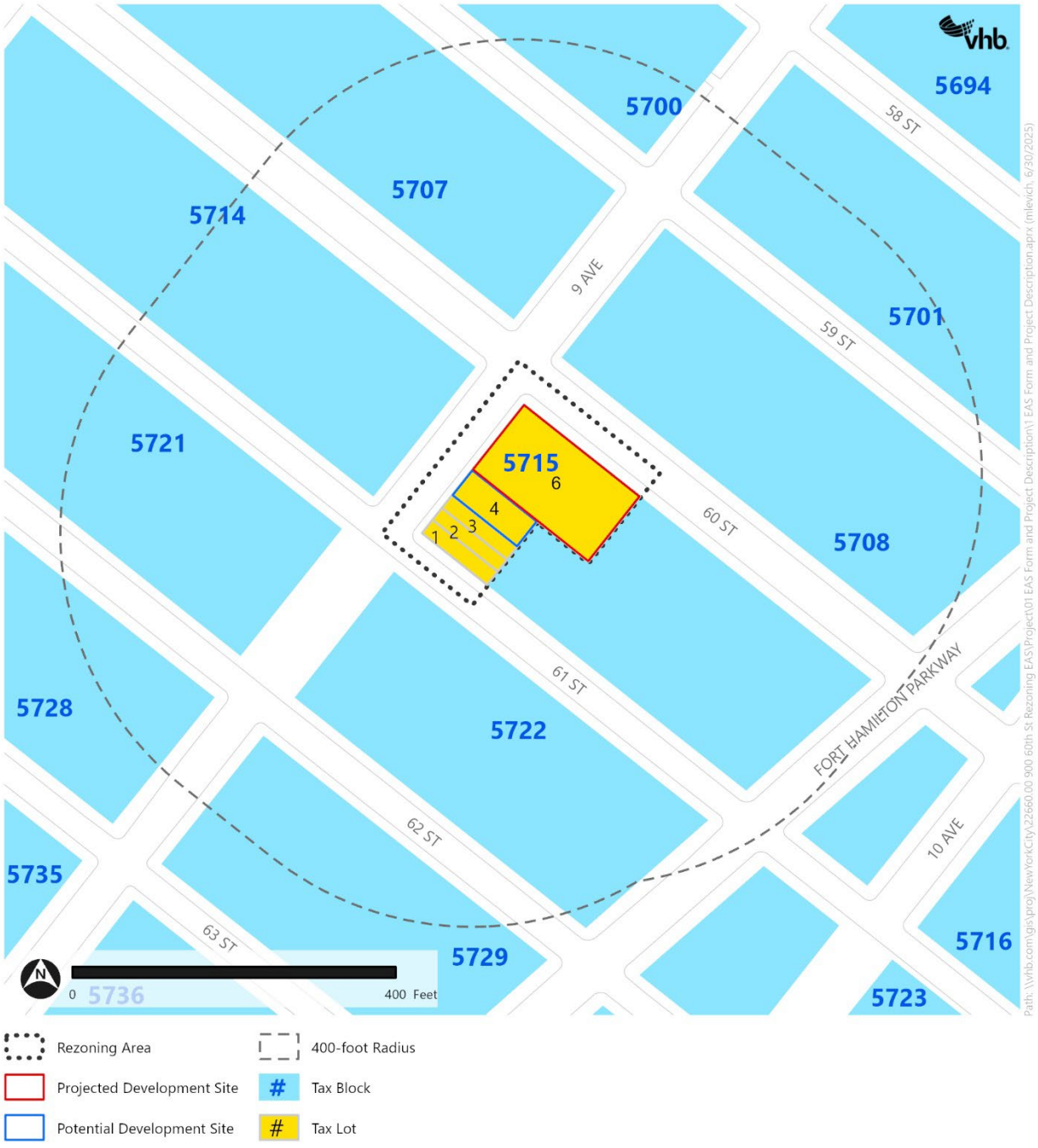
EAS Figures

Figure 1 Site Location Map



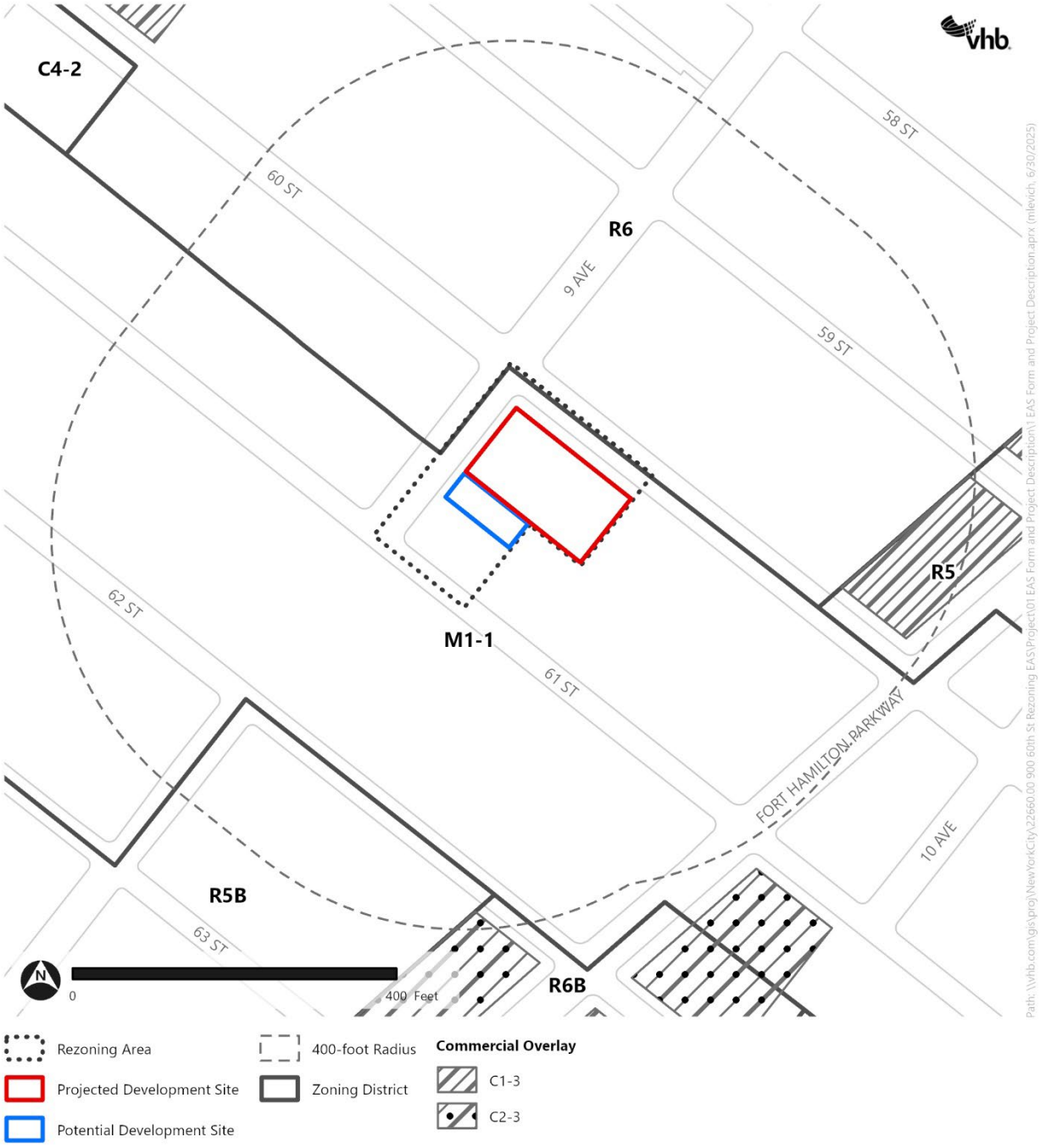
Source: NYC DCP (2025)

Figure 2 Tax Map



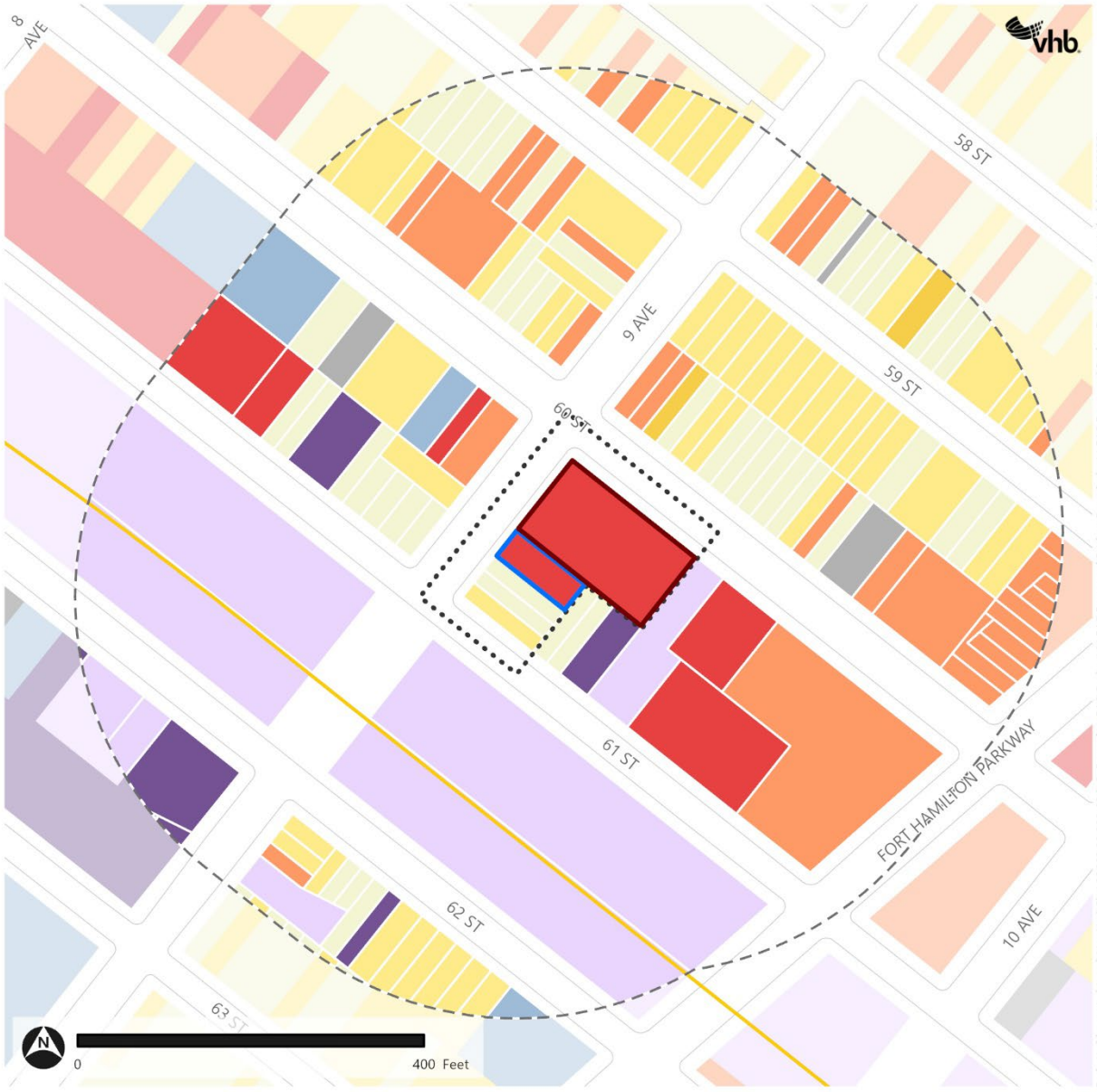
NYC DCP, MapPLUTO (2025)

Figure 3 Existing Zoning Map



Source: NYC DCP (2025)

Figure 4 Land Use Map



Source: NYC DCP, MapPLUTO (2025)

Figure 5 Photo Key Map



Source: NYS ITS

Photo 1 Development Site looking south from 9th Avenue and 60th Street



Photo captured by VHB, June 30, 2025

Photo 2 Development Site looking southwest across 60th Street



Photo captured by Urban Cartographics, October 21, 2024

Photo 3 View of the Development Site facing west across 60th Street



Photo captured by VHB, June 30, 2025

Photo 4 Facing northwest along 60th Street, towards Development Site

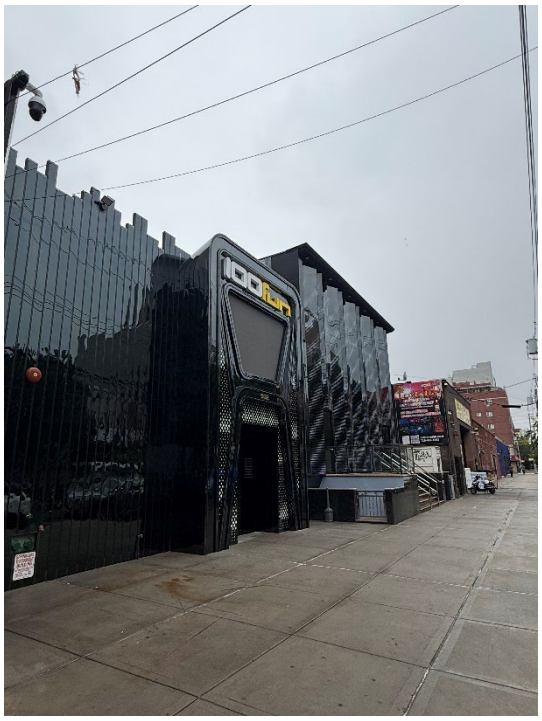


Photo captured by VHB, June 30, 2025

Photo 5 Facing south across 9th Avenue, Potential Development Site



Photo captured by VHB, June 30, 2025

Photo 6 Rezoning Area facing east across 9th Avenue, Potential Development Site at center



Photo captured by Urban Cartographics, October 21, 2024

Photo 7 View of the Rezoning Area facing southeast across 9th Avenue



Photo captured by Urban Cartographics, October 21, 2024

Photo 8 View of the Rezoning Area facing east along 61st Street



Photo captured by Urban Cartographics, October 21, 2024

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Part I: Project Description

This section provides descriptive information about the requested discretionary land use actions and the development project that could be facilitated by the requested actions. The purpose of this section is to convey project information relevant to the environmental review.

Introduction

The Applicant, Montperia Group, LLC, is seeking a zoning map amendment to rezone Brooklyn Block 5715, Lots 1, 2, 3, 4, and 6 (the Rezoning Area) from the existing M1-1 zoning district to a C4-5X zoning district, and a zoning text amendment to Appendix F of New York City Zoning Resolution (ZR) to designate a new Mandatory Inclusionary Housing (MIH) area coterminous with the Rezoning Area boundary (together, the Proposed Actions). **Figure 1** and **Figure 2** show the site location and the existing zoning map.

The Proposed Actions would facilitate the development of a new approximately 144,834-gross-square-foot (gsf) (108,000 zoning square feet [zsf]) mixed-use residential and commercial building (6.0 floor area ratio [FAR]) at 900 60th Street (Block 5715, Lot 6; the Development Site) in the Sunset Park neighborhood of Brooklyn, Community District 12. The development would consist of approximately 115,379 gsf (96,045 zsf) of residential space (including 4,947 gsf of mechanical space), approximately 11,955 gsf (11,955 zsf) of local retail space on the ground floor, and 50 non-attended accessory parking spaces on the cellar level (the Proposed Project). The Proposed Project would provide approximately 140 dwelling units (DUs), of which 28 to 42 units would be affordable at an average of 40 to 80 percent of Area Median Income (AMI) pursuant to MIH requirements. The proposed building would be 12 stories and approximately 145 feet tall (190 feet with bulkhead).

Development Site and Rezoning Area

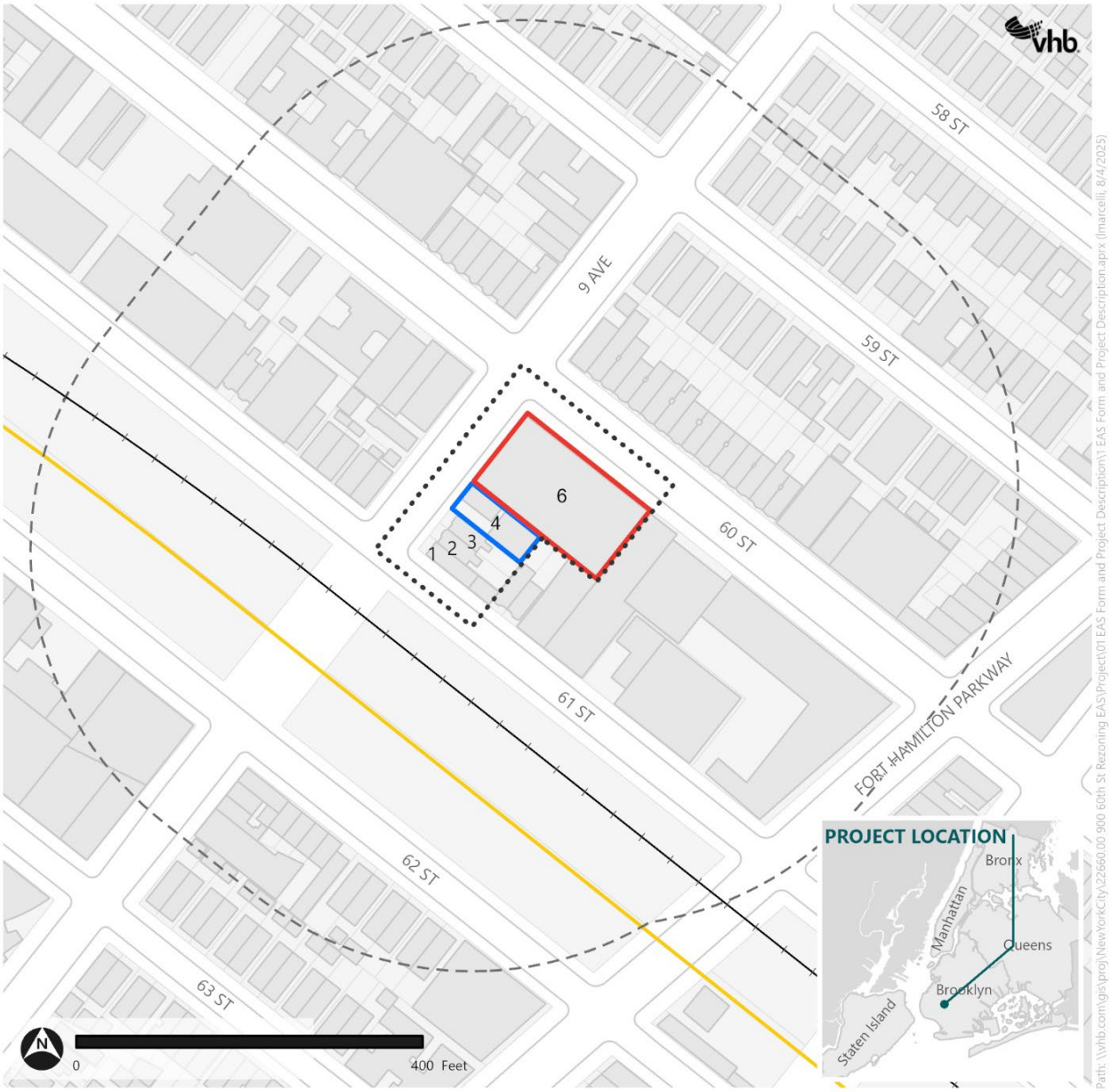
The Development Site (Lot 6), is the only Applicant-owned lot within the Rezoning Area (see **Figure 1**). The Development Site is a corner lot with 180 feet of frontage on 60th Street and 100 feet of frontage on 9th Avenue. The Development Site has a total lot area of 18,000 square feet (sf) and is currently improved with a single-story, approximately 20-foot-tall, 18,000-gsf commercial retail building. The existing building was constructed in 1964 and has full lot coverage. The Development Site has one existing curb cut on 60th Street.

The Rezoning Area is on a block bounded by 60th Street to the northeast, 61st Street to the southwest, 9th Avenue to the northwest, and Fort Hamilton Parkway to the east. Both 9th Avenue and 60th Street are wide, two-way streets. 61st Street is a northwest bound, narrow, one-way street. The Rezoning Area includes four tax lots in addition to the Development Site: Lots 1, 2, 3, and 4. These lots are non-Applicant-owned and are described below:

- Lot 1 is a 2,000-sf corner lot with 20 feet of frontage on 9th Avenue and 100 feet of frontage on 61st Street. It is currently improved with two two-story residential buildings constructed in 1925 and altered in 2012, totaling 2,800 gsf with three DUs.
- Lot 2 has a lot area of 2,000 sf with 20 feet of frontage on 9th Avenue. It is improved with a two-story 1,841-gsf residential building with two DUs. The building was constructed in 1925.
- Lot 3 has a lot area of 2,000 sf with 20 feet of frontage on 9th Avenue. It is improved with a two-story 1,890-gsf residential building with two DUs. The building was constructed in 1925.
- Lot 4 has a lot area of 4,000 sf with 40 feet of frontage on 9th Avenue. It is improved with a three-story 9,570-gsf mixed-use building. The building was constructed in 1925, altered in 2003, and most recently enlarged in 2016. The building contains retail on the ground floor, an ambulatory diagnostic treatment facility on the second floor, and a house of worship on the third floor.

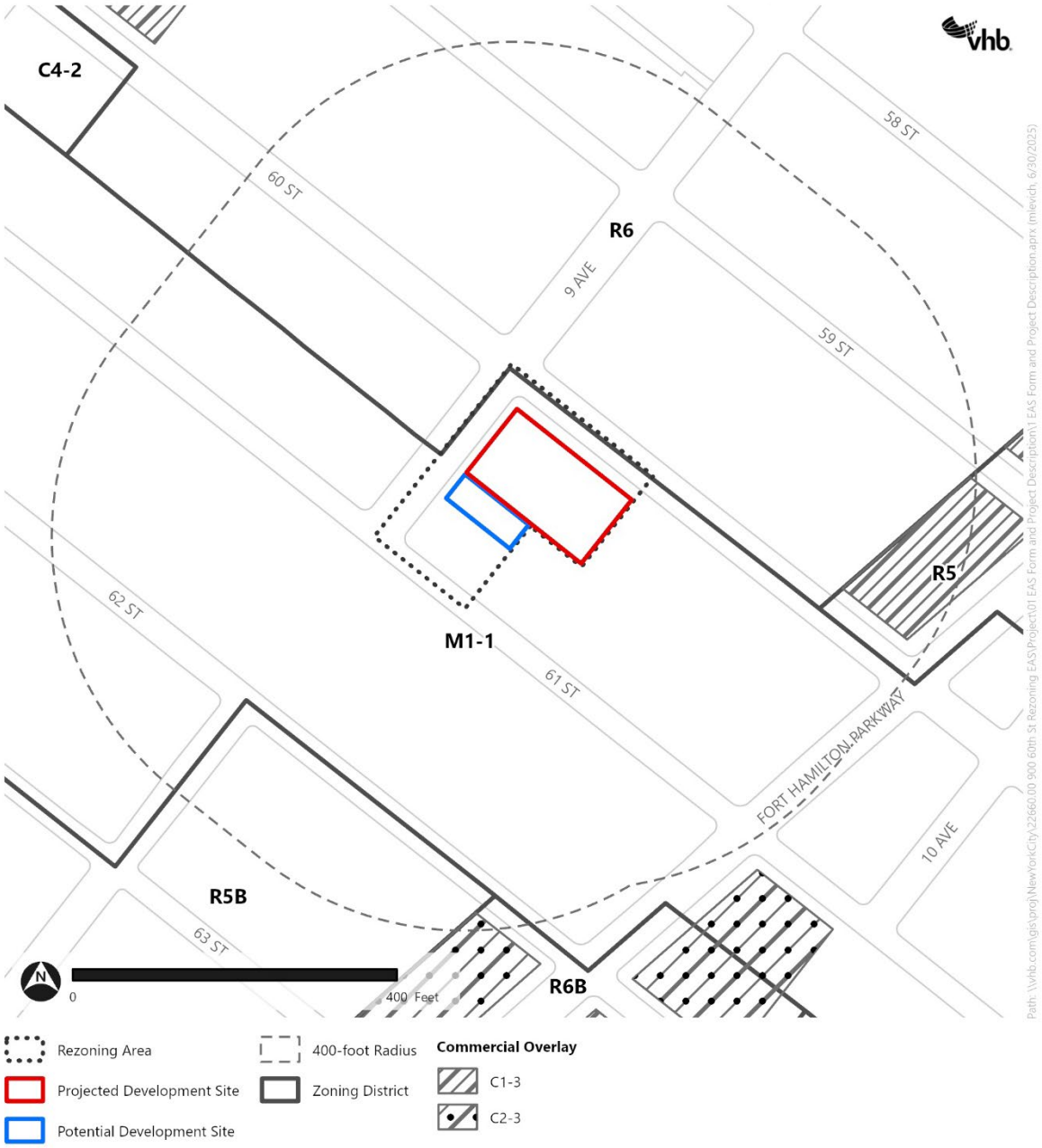
The Rezoning Area is within an M1-1 zoning district (see **Figure 2**). M1 districts typically include light industrial uses, such as woodworking shops, repair shops, and wholesale service and storage facilities, and do not permit residential uses. M1-1 districts allow for a maximum manufacturing and commercial FAR of 1.0 and a maximum community facility FAR of 2.4. The Rezoning Area has remained in an M1-1 district since the 1961 Zoning Resolution was established. The existing residential uses on Lots 1, 2, and 3 are non-conforming under the current M1-1 zoning district. The Rezoning Area is within the Outer Transit Zone.

Figure 1 Site Location Map



Source: NYC DCP (2025)

Figure 2 Existing Zoning Map



Source: NYC DCP (2025)

Proposed Actions

To facilitate the development of the Proposed Project, the Applicant is seeking the following actions:

1. A zoning map amendment to rezone the Rezoning Area from an M1-1 zoning district to a C4-5X zoning district.
2. A zoning text amendment to the Zoning Resolution of the City of New York (ZR), to amend ZR Appendix F to map an MIH area coterminous with the Rezoning Area.

Proposed Project

The Proposed Actions would facilitate the development of a new approximately 144,834-gsf mixed-use residential and commercial building (6.0 FAR) on the Development Site. The Proposed Project would consist of an approximately 115,379 gsf of residential space (including 4,947 gsf of mechanical), approximately 11,955 gsf of commercial space on the ground floor, and 50 non-attended accessory parking spaces on the cellar level (the Proposed Project). The Proposed Project would provide approximately 140 DUs, of which 28 to 42 units would be affordable at an average of 40 to 80 percent of AMI pursuant to MIH requirements. The bulk of the building would be concentrated along 9th Avenue with a base height of 94 feet along the 9th Avenue frontage and the first 82-feet-six-inches of 60th Street from 9th Avenue, and a base height of 62 feet for the remainder of the 60th Street frontage. After setting back 10 feet from the base, the portion of the building within 140 feet of 9th Avenue would rise to a maximum height of 145 feet. The building would be 12 stories and approximately 145 feet tall (190 feet with bulkhead).

The existing curb cut on 60th Street would remain and would be utilized to access the proposed cellar-level parking and a loading berth. Because the Development Site is located within the Outer Transit Zone, accessory parking is required for 15 percent of the market-rate residential units for the proposed C4-5X zoning district, and accessory off-street parking spaces for commercial or community facility uses are not required.

The Proposed Project would maximize the permitted FAR and building height under the proposed C4-5X zoning district (R7X residential equivalent). Additionally, the Proposed Project assumes a dwelling unit factor of approximately 824 gsf per unit, which is a conservative assumption for this area of Brooklyn.

Purpose and Need

The Rezoning Area has been mapped within the existing M1-1 zoning district since 1961, and as a result, the utility of the Development Site has remained low, hosting a single-story commercial retail building. The proposed rezoning to a C4-5X zoning district would allow for new residential development near public transit. The Development Site is in an appropriate location for the residential density permitted by a C4-5X zoning district, in combination with an active ground floor retail space, as it is a corner lot located at the intersection of two wide streets (9th Avenue and 60th Street). Additionally, the Rezoning Area is adjacent to an existing R6 zoning district that defines the neighborhood context to the north and east of the Rezoning Area as largely residential. The proposed zoning map amendment would allow for residential use where it is not currently permitted

and would bring the existing residential uses on the non-Applicant-owned lots (Lots 1, 2, and 3) within the Rezoning Area into conformance.

Mapping an MIH area coterminous with the Rezoning Area would unlock the site's full residential development potential, facilitating a development inclusive of much needed affordable housing, and providing equitable housing opportunities in Sunset Park. The permanently affordable units facilitated by the zoning text amendment to map a new MIH area would help address the City's ongoing housing crisis.

Analysis Framework

For the purpose of the environmental analyses, the No-Action condition represents the future absent the Proposed Actions and serves as the baseline by which the Proposed Actions (or With-Action condition) are compared to determine the potential for significant adverse environmental impacts. The difference between the No-Action and With-Action conditions represents the increment to be analyzed in the CEQR materials.

No-Action Condition

In the future without the Proposed Actions, it is conservatively assumed that existing conditions would remain within the Rezoning Area, as it would continue to be governed by the existing M1-1 zoning district. The existing non-conforming residential uses on Lots 1, 2, and 3, the existing commercial and community facility uses on Lots 4, and the existing commercial retail use on Lot 6 would also remain.

With-Action Condition

In the future with the Proposed Actions, the Proposed Project would be constructed on the Development Site. As discussed above in the **Proposed Project** section, the Proposed Project would maximize the permitted maximum FAR and height under the proposed C4-5X district. Additionally, the Proposed Project assumes a dwelling unit factor of approximately 824 gsf per unit, which is a conservative assumption for this area of Brooklyn.

In addition to the Proposed Project, the With-Action condition also considers Lot 4 as a Potential Development Site. This is a non-Applicant-owned lot. While unlikely, Lot 4 could include the construction of a mixed-use multi-family residential building with ground floor retail under the proposed C4-5X zoning district. The potential redevelopment could reach up to 12-stories and 145-feet-tall (190 with bulkhead), totaling approximately 27,000 gsf. The potential building could include approximately 4,000 gsf of commercial space on the ground floor and approximately 27 DUs, of which 5 to 8 units would be designated as permanently affordable pursuant to MIH.

Increment for Analysis

The increment to be analyzed can be found in **Table 1**.

Table 1 No-Action and With-Action Conditions Comparison (Development Site)

	Existing/ No-Action Conditions	With-Action Condition	Increment
Commercial GSF	18,000	11,955	-6,045
Residential GSF	0	115,379	+115,379
Total Dwelling Units	*0*	*140*	*+140*
Affordable Units	*0*	*28 to 42*	*+28 to 42*
Total GSF	**18,000**	**127,334**	**0**
Parking Spaces	0	50	+50
Residential Population	0	486	+486
Worker Population	54	42	-12

Analysis (Build) Year

Assuming 12 months for the pre-certification process, 7 months for the Uniform Land Use Review Procedure (ULURP) process, followed by approximately 22 months for the construction of the Proposed Project, the build year is assumed to be 2029.

Public Review Process

The Proposed Project described above is subject to public review under ULURP, Section 200 of the City Charter, and CEQR procedures.

The New York City Charter (the Charter) requires certain actions that are reviewed by the City Planning Commission (CPC) to undergo a ULURP. ULURP is a standardized procedure whereby applications affecting the land use of the city would be publicly reviewed. The Charter also established mandated time frames within which application review must take place. Key participants in the ULURP process are the DCP and the CPC, the local community board, the Brooklyn Borough President, the City Council, and the Mayor.

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Part II: Supplemental Analyses

Additional Technical Information for EAS Full Form

Provided below are preliminary screening analyses, conducted based on guidelines presented in the *2025 CEQR Technical Manual* to determine whether further analysis of a given technical area is warranted to determine the potential for significant adverse impacts to the environment in that area. The screening analyses are based on the analysis framework established to assess the potential for the Proposed Actions to result in significant adverse environmental impacts (see **Part I: Project Description**).

Land Use, Zoning, and Public Policy

According to the *CEQR Technical Manual,* a land use analysis is warranted for projects that would affect land use or change zoning on a site. Because the Proposed Actions consist of a zoning map amendment and zoning text amendment, an analysis of land use and zoning is warranted. The Proposed Actions would increase the City's capacity for housing, including affordable housing, and the Development Site is not located within the Coastal Zone. As such, analysis of the Proposed Actions' consistency with public policies is not warranted. See **Section 2, Land Use, Zoning, and Public Policy**.

Socioeconomic Conditions

The socioeconomic character of an area includes its population, housing, and economic activity. Socioeconomic changes may occur when a project directly or indirectly changes any of these elements. Although socioeconomic changes may not result in impacts under CEQR, they are disclosed if they would affect land use patterns, low-income populations, the availability of goods and services, or economic investment in a way that changes the socioeconomic character of the area.

The *CEQR Technical Manual* establishes thresholds to determine whether a socioeconomic conditions assessment should be conducted. For direct displacement, the thresholds are 500 residents or 100 employees. For indirect displacement, the thresholds are 250 dwelling units or commercial development of 200,000 square feet (sf). Since the Proposed Project would not exceed these thresholds, a socioeconomic conditions assessment is not warranted, and no significant adverse impacts would result from the Proposed Project.

Community Facilities and Services

The *CEQR Technical Manual* states that a community facilities assessment is appropriate if a project would have a direct effect on a community facility (e.g., schools, childcare facilities, libraries, health care facilities, police and fire protection services) or if it would have an indirect effect by introducing new populations that would overburden existing facilities. The manual further states that for public schools, libraries, and childcare centers, potential impacts depend on the size, income characteristics, and age distribution of the new population.

The Proposed Actions would not directly eliminate, displace, or alter public or publicly funded community facilities such as health care facilities, police stations, or fire stations. Therefore, the Proposed Actions do not warrant an analysis of direct effects on these community facilities and services.

As the Proposed Project would not introduce a sizeable new neighborhood, an analysis of police and fire protection services and health care facilities is not warranted. An analysis of libraries is warranted if a project in Brooklyn introduces more than 834 total units, which the Proposed Project would not. The Proposed Actions would introduce 20 elementary students, 7 intermediate school students, and 3 high school students. Because the Proposed Actions would not introduce more than 100 elementary or intermediate school students or over 150 high school students, further analysis is not warranted. An analysis of existing childcare centers would be warranted if a project has the potential to introduce 20 or more eligible children under age six, which equates to a minimum 110 affordable units at or below 80 percent of the area median income (AMI) in Brooklyn. Because the Proposed Project is anticipated to introduce up to 35 affordable units (25 percent of the total units) at or below 80 percent of AMI, further analysis of childcare centers is not warranted.

Therefore, the Proposed Actions would not have the potential to indirectly impact public elementary, intermediate, or high schools; public libraries; health-care facilities; or police and fire protection services.

Open Space

The *CEQR Technical Manual* recommends performing an open space assessment if a project would result in either a direct or indirect effect on open space.

Direct Effects

A project would have a direct effect on an open space if it causes the physical loss of public open space because of encroachment onto the space or displacement of the space; changes the use of an open space so that it no longer serves the same user population; limits public access to an open space; or results in increased noise or air pollutant emissions, odor, or shadows that would affect the usefulness of a public open space, whether on a permanent or temporary basis. The Proposed Project would not cause the physical loss of public open space, change the use of an open space so that it no longer serves the same user population, or limit public access to an open space. The Proposed Project would not result in direct effects on open spaces from noise, air pollutant emissions, or odors. The potential for direct effects from the Proposed Project on area open spaces because of shadows is assessed in **Section 3, Shadows**.

Indirect Effects

Indirect effects may occur when the population generated by a project overtaxes the capacity of existing open spaces so that their service to the future population of the affected area would be substantially or noticeably diminished. The *CEQR Technical Manual* threshold for an analysis of potential indirect effects is whether the project would introduce more than 175 incremental DUs for projects in existing R1-R4 districts or 250 incremental units for projects in existing R5-R12, C, or M districts, or generate more than 500 non-residents. The Proposed Project is located within an existing M district and is expected to result in an additional 140 DUs compared to the No-Action condition,

which does not exceed the 250-unit threshold. Additionally, the Proposed Actions would result in a negative increment for non-residents. Therefore, an assessment of indirect effects on open space is not warranted and there would be no significant adverse open space impact as a result of the Proposed Actions.

Shadows

The *CEQR Technical Manual* requires a shadows assessment for projects that would result in with-action structures of 250 feet or more, with-action structures between 50 and 250 feet that are located adjacent to, within, or across the street from, a sunlight-sensitive resource, or projects resulting in greater than 50 feet of incremental height change or substantial changes in bulk.

The Proposed Actions would facilitate the development of a new building that is approximately 145 feet tall (190 feet with bulkhead), which exceeds the height of the existing/No-Action condition by more than 50 feet. Therefore, a shadows assessment is warranted. See **Section 3, Shadows**.

Historic and Cultural Resources

According to the *CEQR Technical Manual,* a historic and cultural resources assessment is warranted if there is the potential to affect either archaeological or architectural resources; the manual further recommends that a historic resources assessment be prepared if a proposed action would result in any of the following actions: in-ground disturbance; new construction, demolition, or significant physical alteration of any building, structure, or object; the change in scale, visual prominence, or visual context of any building, structure, or object or landscape feature; or the screening or elimination of publicly accessible views, even if no known historic resources are located nearby.

Archaeological resources are physical remains, usually subsurface, of the prehistoric, Native American, and historic periods—such as burials, foundations, artifacts, wells, and privies. Archaeological resources are considered only in those areas where new in-ground disturbance is likely to occur. Based on a desktop review of the New York State Office of Parks, Recreation, and Historic Preservation (OPRHP) Cultural Resource Information System (CRIS), the Rezoning Area is not located in an Archaeological Buffer Area. A letter from the New York City Landmarks Preservation Commission (LPC) also confirms that there are no archaeological within the Rezoning Area. Therefore, an assessment of archaeological resources is not warranted (see **Appendix A**).

Architectural resources generally include historically important buildings, structures, objects, sites, and districts. Historic and cultural resources include designated New York City Landmarks (NYCLs) and Historic Districts; properties calendared for consideration as NYCLs by the LPC or determined eligible for NYCL designation (NYCL-eligible); properties listed on the State and National Register of Historic Places (S/NR) or formally determined eligible for S/NR listing (S/NR-eligible), or properties contained within a S/NR listed or eligible district; properties recommended by the New York State Board for listing on the S/NR; National Historic Landmarks (NHLs); and potential historic resources (i.e., properties not identified by one of the programs listed above, but that appear to meet their eligibility requirements). There are no architectural resources identified in the Rezoning Area. In the LPC letter mentioned above, LPC also confirmed that there are no architectural resources within the Rezoning Area and no sunlight-sensitive resources within the shadows study area (see **Appendix A**). Therefore, further analysis is not warranted, and the Proposed Actions would not result in adverse significant impact on archaeological or architectural resources.

Urban Design and Visual Resources

According to the methodologies of the *CEQR Technical Manual,* a preliminary assessment of urban design and visual resources should be prepared if a project would (1) result in a building over 250 feet tall, have a project area greater than 1.5 acres, or be classified as a general large-scale development; (2) require a special permit to allow the modification of bulk and yard requirements or special uses such as hotels, self-storage, transportation facilities, or assembly spaces; (3) introduce new or change the location of public or private streets or public open spaces; or (4) have the ability to obstruct views or access to visual resources beyond a de minimis amount.

The Proposed Actions would not result in any of the conditions outlined above. Therefore, a significant adverse impact would not occur and no further assessment of urban design and visual resources is warranted.

Natural Resources

As stated in the *CEQR Technical Manual,* a natural resource is defined as a plant or animal species, any area capable of providing habitat for plant and animal species, or an area capable of functioning to support environmental systems and maintain the City's environmental balance (e.g., surface and groundwater, wetlands, landscaped areas, gardens, and built structures used by wildlife). An assessment of natural resources is appropriate if a natural resource exists on or near the Development Site, or if there is a potential for impacts related to stormwater and shadows. The Proposed Project would be constructed in a developed urban area that does not contain natural resources. The Proposed Project would not affect plant or animal species, nor would it affect habitat for plant and animal species. Therefore, no further analysis is warranted.

Hazardous Materials

According to the *CEQR Technical Manual,* a hazardous materials assessment is conducted when elevated levels of hazardous materials exist on a site and when an action has the potential to increase pathways to their exposure, either human or environmental, or when an action would introduce new activities or processes using hazardous materials, thereby increasing the risk of human or environmental exposure. Because the Proposed Project would result in new in-ground disturbance in an area where there is reason to suspect the presence of hazardous materials, an assessment of hazardous materials is warranted. See **Section 4, Hazardous Materials**.

Water and Sewer Infrastructure

According to the *CEQR Technical Manual,* a water and sewer infrastructure assessment analyzes whether a proposed action may adversely affect New York City's water distribution or sewer system and, if so, assesses the effects of the action to determine whether the impact is significant.

Water Supply

According to the *CEQR Technical Manual*, a preliminary water supply infrastructure analysis is warranted if the project would result in an exceptionally large demand for water (i.e., over 1 million

gallons per day [gpd]) or is located in an area that experiences low water pressure (i.e., areas at the end of the water supply distribution system such as the Rockaway Peninsula and Coney Island). The Development Site is not located in an area that experiences low water pressure. The Proposed Project would result in a water demand at the Development Site of approximately 51,662 gpd, which is greater than the existing/No-Action water demand estimated at approximately 7,380 pgd. As the future water demand at the Development Site would be less than 1 million gpd, the Proposed Project would not result in significant adverse impacts to water supply and no further analysis is warranted.

Wastewater and Stormwater

With regard to wastewater and stormwater conveyance, the *CEQR Technical Manual* states that a preliminary infrastructure analysis would be needed if a project that is located in a combined sewer area within Brooklyn would result in incremental development of more than 400 residential units or 150,000 sf of non-residential space. The Proposed Project would result in a net increase of 140 residential units and a net reduction of commercial space, well below the 400-unit and 150,000-gsf thresholds. The Development Site is currently improved with a commercial building with full lot coverage, therefore the Proposed Project would not introduce new impervious surfaces. Therefore, the Proposed Project would not result in significant adverse impacts to wastewater and stormwater, and no further analysis is warranted.

Solid Waste and Sanitation Services

The *CEQR Technical Manual* states that an assessment of solid waste and sanitation services is warranted if an action would have the potential to result in a substantial increase in solid waste production that could overburden available waste management capacity or otherwise be inconsistent with the City's Solid Waste Management Plan (SWMP) or with state policy related to the City's integrated solid waste management system. According to the *CEQR Technical Manual*, actions resulting in substantial waste generation, defined as 50 tons (100,000 pounds) per week or more, warrant additional analysis for effects on solid waste and sanitation services. The Proposed Project would result in an increment of approximately 1.9 tons per week, which is below the 50-ton threshold (see **Table II-1**). Therefore, the Proposed Project would not result in a significant adverse impact to solid waste and sanitation services, and further analysis is not warranted.

Table II-1 Solid Waste Generation

		No-Action		With-Action		Increment	
Use	**CEQR Rate* (Lbs. per Worker / Households)**	**Workers / Households**	**Pounds / Week**	**Workers / Households**	**Pounds / Week**	**Workers / Households**	**Pounds/ Week**
Residential	41 / Household	-	-	140	5,740	+140	+5,740
General Retail	79 / Employee	54	4,266	36	2,834	-18	-1,433
	Total		**4,266**	**-**	**8,574**	**-**	**+ 4,141**
	Total (tons/week)		**1.935**	**-**	**3.889**	**-**	**+ 1.954**

Energy

According to the *CEQR Technical Manual,* a detailed assessment of energy impacts is only required for projects that would significantly affect the transmission or generation of energy or that would result in substantial consumption of energy. The Proposed Actions would not affect the transmission or generation of energy. Based on factors provided in Table 15-1 of the *CEQR Technical Manual*, the Proposed Project is anticipated to result in an incremental increase of up to 17,204,386MBtu/sf of energy consumption. Because the Proposed Project would not affect the transmission or generation of energy, no further analysis is warranted.

Transportation

According to the *CEQR Technical Manual,* detailed transportation analyses may be warranted if a project results in 50 or more vehicle trips and/or 200 or more transit/pedestrian trips during a given peak hour. Based on Table 16-1 of the *CEQR Technical Manual*, the Proposed Actions do not exceed the thresholds for transportation analysis in Zone 2 (200 DUs, 15,000 sf of local retail). As such, significant adverse transportation impacts would not occur, and no further analysis is warranted.

Air Quality

Ambient air quality, or the quality of the surrounding air, may be affected by air pollutants produced by motor vehicles, referred to as "mobile sources"; by fixed facilities, usually referenced as "stationary sources"; or by a combination of both. As discussed in the *CEQR Technical Manual*, an air quality assessment determines both a proposed project's effects on ambient air quality as well as the effects of ambient air quality on the project. An air quality analysis considers the following types of potential impacts:

- Potential impacts from mobile sources introduced by a project
- Potential impacts introduced by a project, such as emissions from:
  - A project's heating, ventilation, and air conditioning (HVAC) and hot water systems
  - Other sources within a development, such as an enclosed parking garage
- Potential impacts on the proposed project's sensitive uses (e.g., residences) from sources of air emissions such as:
  - Industrial manufacturing/processing facilities
  - Large/major sources

The Proposed parking would not exceed CEQR transportation parking thresholds and would not result in project-generated vehicle trips that exceed applicable thresholds defined in the *CEQR Technical Manual.* As such, an analysis of these sources is not warranted.

The Proposed Project would use electric HVAC and hot water systems and, therefore, would not generate emissions from these systems. However, to formalize this commitment and ensure that the that would be no significant adverse impacts, an (E)-Designation for air quality (E-XXX) would be mapped on the Development Site. The (E)-Designation would also apply to the non-Applicant-owned Potential Development Site. The (E)-Designation text would be as follows:

Block 5715, Lot 6 and Lot 4

Any new commercial or residential development on the above-referenced property must ensure the HVAC system and hot water equipment are powered by electricity only with no venting or stacks, or an equally protective alternative (e.g., steam), to avoid any potential significant adverse air quality impacts.

There are no large/major sources within a 1000-foot radius of the Development Site. Therefore, a large/major source analysis is not warranted. An assessment of industrial sources is provided in **Section 5, Air Quality**.

Greenhouse Gas Emissions and Climate Change

According to the *CEQR Technical Manual,* GHG assessments are appropriate for projects in New York City requiring an EIS that would result in the development of 350,000 square feet or greater. The Proposed Actions would facilitate the development of approximately 144,834 gsf, which would not exceed this threshold

Depending on the sensitivity, location, and useful life of development resulting from a proposed action, it may be appropriate to include discussion of the potential effects of climate change in environmental review. Rising sea levels and increases in storm surge and coastal flooding are the most immediate threats in New York City for which site-specific conditions can be assessed, and an analysis of climate change may be deemed warranted for sites located within the current 100- or 500-year flood zone, as delineated in the FEMA PFIRMs, or within future 100-year flood zones as projected by the New York City Panel on Climate Change, as appropriate. The Rezoning Area is located outside of the New York City Coastal Zone and, therefore, is not considered to be susceptible to sea level-related climate change risk. As such, no significant adverse impact to greenhouse gas and climate change would occur, and further analysis is not warranted.

Noise

As discussed in the *CEQR Technical Manual*, a noise analysis is appropriate if an action would generate mobile or stationary sources of noise or would introduce noise-sensitive receptors in an area with high ambient noise levels. Mobile sources include vehicular traffic; stationary sources include rooftop equipment such as emergency generators, cooling towers, and other mechanical equipment.

Because the Proposed Actions would introduce new noise-sensitive receptors to the Development Site (and could introduce new receptors on the Potential Development Site) and the Development Site and Potential Development Site are within 1,500 feet of rail track, a noise assessment is required under CEQR to determine if:

- The Proposed Actions would significantly increase sound levels from mobile and stationary sources at existing noise receptors adjacent to the Development Site and Potential Development Site, including residential, commercial, and institutional land uses; and,
- New noise receptors introduced at the Development Site and Potential Development Site would be in an acceptable ambient sound level environment.

See **Section 6, Noise**.

Public Health

According to the guidelines of the *CEQR Technical Manual*, a public health assessment may be warranted if an unmitigated significant adverse impact is identified in other CEQR analysis areas, such as air quality, water quality, hazardous materials, or noise. The Proposed Project does not have the potential to result in adverse effects on water quality, nor would it result in significant adverse impacts in the areas of air quality, hazardous materials, or noise. Therefore, no further analysis is warranted.

Neighborhood Character

As discussed in the *CEQR Technical Manual*, an analysis of neighborhood character is warranted when a project has the potential to result in significant adverse impacts in any of the following technical areas: land use, zoning, and public policy; socioeconomic conditions; open space; historic and cultural resources; urban design and visual resources; shadows; transportation; or noise. In addition, an assessment may be warranted when there is a combination of moderate effects in these technical areas that, when considered together, may affect the defining elements of neighborhood character. Because the Proposed Actions do not have the potential to result in moderate effects in any of these technical areas, a significant adverse impact to neighborhood character would not occur, and further analysis is not warranted.

Construction

Construction impacts, although temporary, can include disruptive and noticeable effects resulting from an action. Determination of their significance and need for mitigation is generally based on the duration and magnitude of the impacts. Construction impacts are considered when construction activity could affect traffic conditions, archaeological resources, the integrity of historic resources, community noise levels, and area air quality conditions. In addition, because soils may be disturbed during construction, any action proposed for a site that has been found to have the potential to contain hazardous materials should also consider the potential construction impacts that could result from contamination.

A construction assessment is typically warranted for construction activities (a) lasting longer than two years; (b) located along an arterial highway or major thoroughfare; (c) involving the closing, narrowing, or otherwise impeding of traffic, transit, or pedestrian elements; (d) involving multiple buildings; (e) involving the operation of several pieces of diesel equipment in a single location; (f) resulting in the closure or disruption of a community facility service; (g) located within 400 feet of a historic or cultural resource; (h) disturbing a site containing or adjacent to a natural resource; and/or (i) occurring on multiple sites in the same geographic area.

While construction resulting from the Proposed Actions would occur along a minor arterial roadway, construction activities would last approximately 22 months and would therefore be considered short-term, which does not warrant a detailed analysis. As no development is planned for the Potential Development Site, the owner would need time for program planning, financing, and obtaining permits, and therefore, it is not reasonable to assume that this potential construction would overlap with construction of the Proposed Project. Additionally, construction of the Proposed Project would be for one building, occurring on a single site, and would not be within 400 feet of a historic

resource. As such, no significant adverse construction impacts would occur and further analysis is not warranted.

Effects on Disadvantaged Communities

According to *CEQR Technical Manual,* the purpose of a disadvantaged community assessment is to evaluate whether an action may cause or increase a disproportionate pollution burden on a disadvantaged community. A disadvantaged community (DAC) is defined under the 2019 New York State Climate Leadership and Community Protection Act (CLCPA) as a community that bears burdens of negative public health effects, environmental pollution, impacts of climate change, and possess certain socioeconomic criteria, or comprise high-concentrations of low- and moderate- income households. The Development Site is within a half-mile radius of a DAC. As such, an assessment of effects on DACs is warranted and provided in **Section 7, Effects on Disadvantaged Communities**.

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1

Introduction

As discussed in **Part II: Supplemental Analysis** of this Environmental Assessment Statement (EAS), several technical areas were identified for further analysis:

- Land Use, Zoning, and Public Policy
- Shadows
- Hazardous Materials
- Air Quality
- Noise
- Effects on Disadvantaged Communities

Analysis of these areas follows in **Section 2** through **Section 7**.

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2

Land Use, Zoning, and Public Policy

This section considers the potential for the proposed project to result in significant adverse impacts to land use, zoning, and public policy. Under the guidelines of the *2025 City Environmental Quality Review (CEQR) Technical Manual*, this analysis evaluates the uses in the area that may be affected by the proposed project and determines whether the proposed project is compatible with land use, zoning, and public policy conditions, or may otherwise affect them. The analysis also considers the proposed project's compatibility with zoning regulations and other public policies applicable to the area.

Introduction

This analysis of land use, zoning and public policy follows the guidelines set forth in the *CEQR Technical Manual*. It characterizes the existing conditions in the area surrounding the Development Site and addresses potential impacts to land use, zoning, and public policy that would be associated with the Proposed Actions.

As discussed in **Part I: Project Description**, the Applicant, Montperia Group, LLC, is seeking a zoning map amendment to rezone Brooklyn Block 5715, Lots 1, 2, 3, 4, and 6 (the Rezoning Area) from the existing M1-1 zoning district to a C4-5X zoning district and a zoning text amendment to Appendix F of New York City Zoning Resolution (ZR) to designate a Mandatory Inclusionary Housing (MIH) area coterminous with the Rezoning Area boundary (the Proposed Actions). The Proposed Actions would facilitate the development of a new approximately 144,834-gross-square-foot (gsf) mixed-use residential and commercial building with 6.0 total Floor Area Ratio (FAR) at 900 60th Street (Block 5715, Lot 6; the Development Site) in the Sunset Park neighborhood of Brooklyn, Community District 12. The development would consist of approximately 115,379 gsf of residential space (including

4,947 gsf of mechanical), approximately 11,955 gsf of commercial space on the ground floor, and 50 non-attended accessory parking spaces on the cellar level (the Proposed Project). The Proposed Project would provide approximately 140 DUs, 28 to 42 units (20 to 30 percent) of which would be affordable at an average of 40 to 80 percent of Area Median Income (AMI) pursuant to MIH requirements 1, 2 or 3. The building would be 12 stories and approximately 145 feet tall (190 feet with bulkhead). In addition to the Proposed Project, it is possible (though unlikely) that the Proposed Actions could also facilitate development on the adjacent non-Applicant-owned Block 5715, Lot 4 within the Rezoning Area (the Potential Development Site). In the future with the Proposed Actions, the Potential Development Site could be redeveloped with a 12-story, 145-foot-tall (190 feet with bulkhead), mixed-use building with a total of 27,000 gsf (the Potential Development). The Potential Development could include approximately 4,000 sf of commercial space on the ground floor and approximately 27 DUs, of which 5 to 8 units (20 to 30 percent) would be designated as permanently affordable pursuant to MIH.

Methodology

This analysis of land use, zoning, and public policy follows the guidelines set forth in the *CEQR Technical Manual* for a preliminary assessment (Section 320). According to the *CEQR Technical Manual*, a preliminary land use and zoning assessment:

- Describes existing and future land uses and zoning information, and describes any changes in zoning that could cause changes in land use;
- Characterizes the land use development trends in the area surrounding a project site that might be affected by a proposed action; and
- Determines whether the project is compatible with those trends or may alter them.

The following assessment method was used to determine the potential for the project to result in significant adverse impacts on land use, zoning, and public policy:

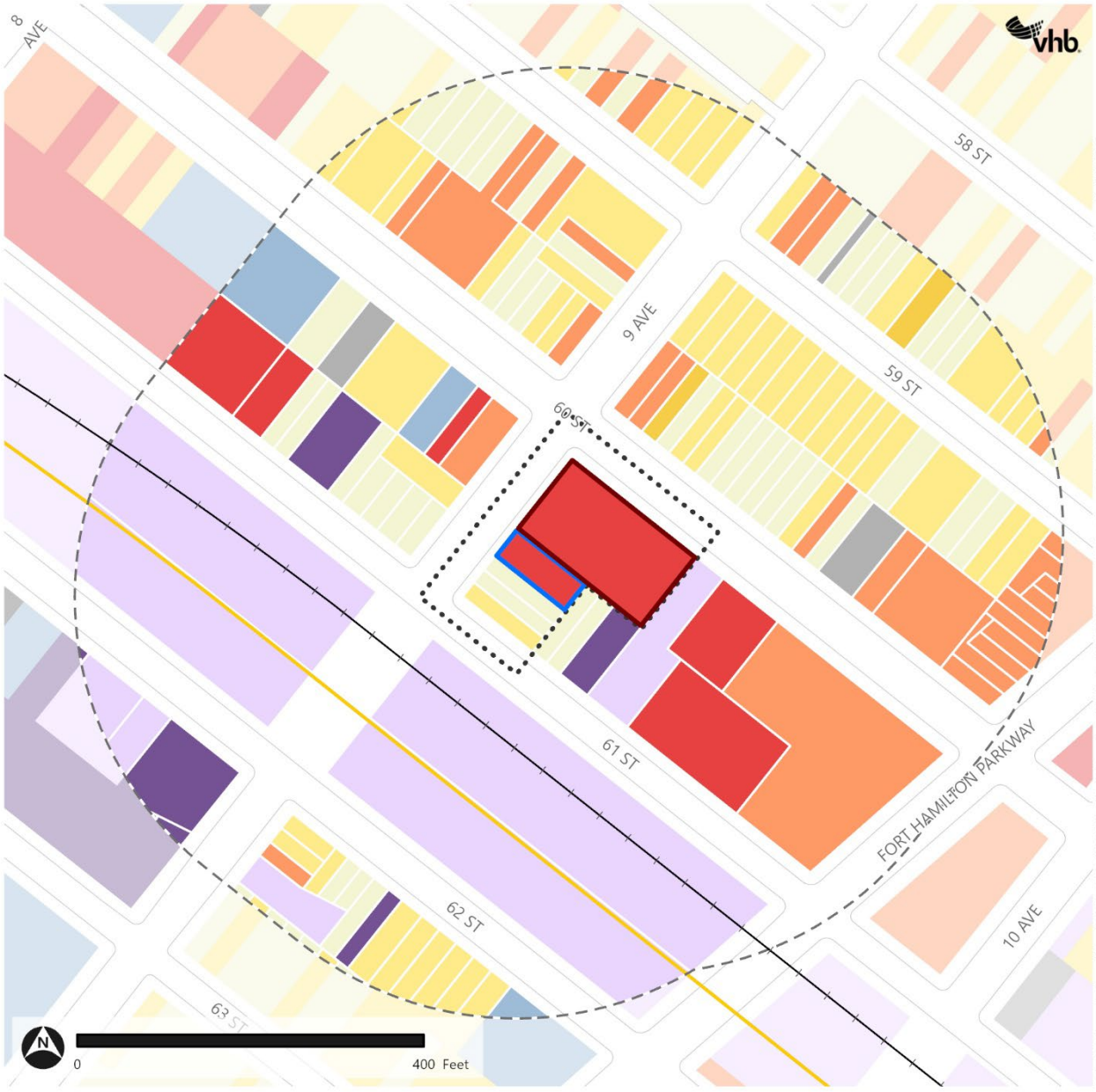
1. Establish a "study area", a geographic area surrounding project site to determine how the project may affect the immediate surrounding area.
2. Identify data sources, including any public policies (formal plans, published reports) to be used to describe the existing and No-Action conditions related to land use, zoning, and/or public policy.
3. Assess the project's potential effects on land use, zoning, and public policy to determine whether the project is consistent with or conflicts with area land uses, zoning, or the identified policies.
    - If a project could conflict with the identified policies, a detailed assessment would be conducted; or
    - If the project is found to not conflict with the identified policies, no further assessment is needed.

The Proposed Actions would increase the City's capacity for housing, including affordable housing, and the Development Site is not located within the Coastal Zone. As such, analysis of the Proposed Actions' consistency with public policies is not warranted.

The study area for this analysis is the area within 400-feet of the Rezoning Area, which, for the Proposed Actions, is generally bounded by the midpoint line between 58th and 59th streets to the northeast, a line parallel to and approximately 340 feet west of 9th Avenue to the northwest, Fort Hamilton Parkway to the southeast, and the midpoint line between 62nd and 63rd streets to the

southwest (see **Figure 2-1**). This is the area in which the Proposed Actions would be most likely to have effects in terms of land use and zoning.

Figure 2-1 Land Use Study Area



Source: NYC DCP, MapPLUTO (2025)

Assessment

Existing Conditions

Land Use

Rezoning Area and Development Site

The Proposed Actions would apply to the Rezoning Area, which is bounded by 60th Street to the northeast, 61st Street to the southwest, 9th Avenue to the northwest, and the eastern lot lines of Block 5715, Lots 1, 2, 3, 4, and 6 to the east (see **Figure 2-1**). As noted above and discussed in **Part I: Project Description**, the Rezoning Area includes the Applicant-owned Development Site (Block 5715, Lot 6) and four non-Applicant-owned sites (Block 5715, Lots 1, 2, 3, and 4). No development would occur on Lots 1, 2, and 3 as a result of the Proposed Actions, however the non-Applicant-owned Lot 4 is considered a Potential Development Site for the purpose of providing a conservative analysis.

The Development Site is a rectangular, 18,000 square-foot (sf), corner tax lot with 180 feet of frontage along 60th Street (a Wide Street, pursuant to the NYC Zoning Resolution of 1961, as amended [ZR]) and 100 feet of frontage along 9th Avenue (also a Wide Street).

The Development Site is occupied by a single-story, approximately 20-foot-tall, commercial building constructed in 1964 and altered in 1996 that has full lot coverage, and one curb cut for loading on 60th Street. The Development Site is currently occupied by Kids Palace, a commercial indoor play center designed for children. The former commercial tenant, PFL Furniture & Lighting INC, has moved to the adjacent Potential Development Site at Lot 4. Lots 1, 2, and 3 within the Rezoning Area are occupied by two-story residential buildings. The existing residential uses on these lots are considered nonconforming given the existing M1-1 zoning district.

Study Area

As noted above, the 400-foot study area surrounding the Rezoning Area is generally bounded by the midpoint line between 58th and 59th streets to the northeast, a line parallel to and approximately 340 feet west of 9th Avenue to the northwest, Fort Hamilton Parkway to the southeast, and the midpoint line between 62nd and 63rd streets to the southwest (see **Figure 2-1**).

The study area contains a range of residential, mixed-use, commercial, industrial and transportation land uses. In general, the study area is a medium-density residential and commercial neighborhood that transitions toward increasing industrial uses with significant transportation infrastructure to the southwest. The study area straddles the southeastern border of Sunset Park, in an area commonly recognized as Brooklyn's Chinatown. The N Train, W Train, and the CSX-owned Fremont Secondary freight line all travel along below-grade railways parallel to and directly south of 61st Street, crossing under 9th Avenue and Fort Hamilton Parkway. Under direction from Governor Hochul, the Metropolitan Transportation Authority (MTA) is leading the planning process for the proposed Interborough Express (IBX) project, which seeks to adapt the existing freight railway into a rapid transit light rail network, connecting historically underserved communities of Brooklyn and Queens. The project would be built along the existing, LIRR-owned Bay Ridge Branch and CSX-owned Fremont Secondary, a 14-mile freight line that extends from Bay Ridge, Brooklyn, to Jackson Heights,

Queens. As of July 2025, the project is in the design phase and is funded through the MTA's 2025-2029 Capital Plan.

In the northwest portion of the study area, land uses are typical of a medium-density residential area in Brooklyn. In general, one, two, and multi-family residential walkup buildings on small, narrow lots occupy the midblock along 59th Street and the northwest side of 60th Street. These buildings are mostly two to four stories tall, attached or semi-detached. Higher-density residential buildings are interspersed throughout and concentrated on lots fronting 9th Avenue, such as the seven-story mixed-use building directly across 9th Avenue from the Development Site at 880 60th Street and the recently developed, six-story apartment building directly across 60th Street from the Development Site at 901 60th Street. North of the Development Site at 859 60th Street, between 8th and 9th Avenues, is a 12-story 142-foot-tall mixed-use residential and commercial building. Existing residential uses along 61st Street to the west and east of 9th Avenue are nonconforming within the existing M1-1 zoning district.

The study area includes several community facility and institutional uses, such as two preschools and an afterschool center located along 60th Street, the Church of Jesus Christ of Latter-day Saints at 828 60th Street, the Avatamsaka Buddhist Association of America at 861 61st Street, and Homecrest Community Services, a non-profit community-based organization, located directly across from the Development Site at 901 60th Street.

Nearby commercial land uses in the study area include a karaoke bar, a beauty supply store, a laundromat, healthcare services, and a Japanese restaurant, all along 60th Street. Additionally, there are three auto repair shops within the study area, located on 60th Street and 61st Street.

To the southwest of the Development Site, several tax lots along 61st Street and 62nd Street are owned by the MTA; these lots are occupied by the NYC Transit Authority, which operates the N/W Trains, and the LIRR, which is a transportation/utility use. The southwestern portion of the study area also includes lots containing industrial warehouse uses in one- to two-story buildings, transportation and utility uses, and one-, two-, and multifamily residential buildings.

As shown in **Table 2-1**, residential uses occupy the majority of lots in the study area, with one- and two-family residential uses making up 27 percent of lots. The largest land use by lot area is transportation/utility, which makes up 36 percent of the area of lots intersecting the 400-foot study area.

Table 2-1 Study Area Generalized Land Uses

Land Use	Number of Tax Lots[2]	Percentage of Total Lots (%)	Lot Area (sf)	Percentage of Total Lot Area (%)
One & Two Family Residential	47	33%	127,604	18%
Multifamily Walkup Residential	43	30%	88,054	12%
Multifamily Elevator Residential	2	1%	5,008	1%
Mixed Commercial/Residential	27	19%	111,612	15%
Commercial and Office	7	5%	68,125	9%
Industrial and Manufacturing	4	3%	21,851	3%
Transportation/Utility	8	5%	260,968	36%
Public Facilities and Institutions	3	2%	37,183	5%
Open Space	0	0%	0	0%
Parking Facilities	3	2%	10,128	1%
Vacant Land	0	0%	0	0%
Total	**144**	**100%[1]**	**730,533**	**100%[1]**

Source: Map PLUTO 25v1

[1] Numbers may not add up to 100% due to rounding

[2] All Lots intersecting the 400-foot radius study area were included in analysis

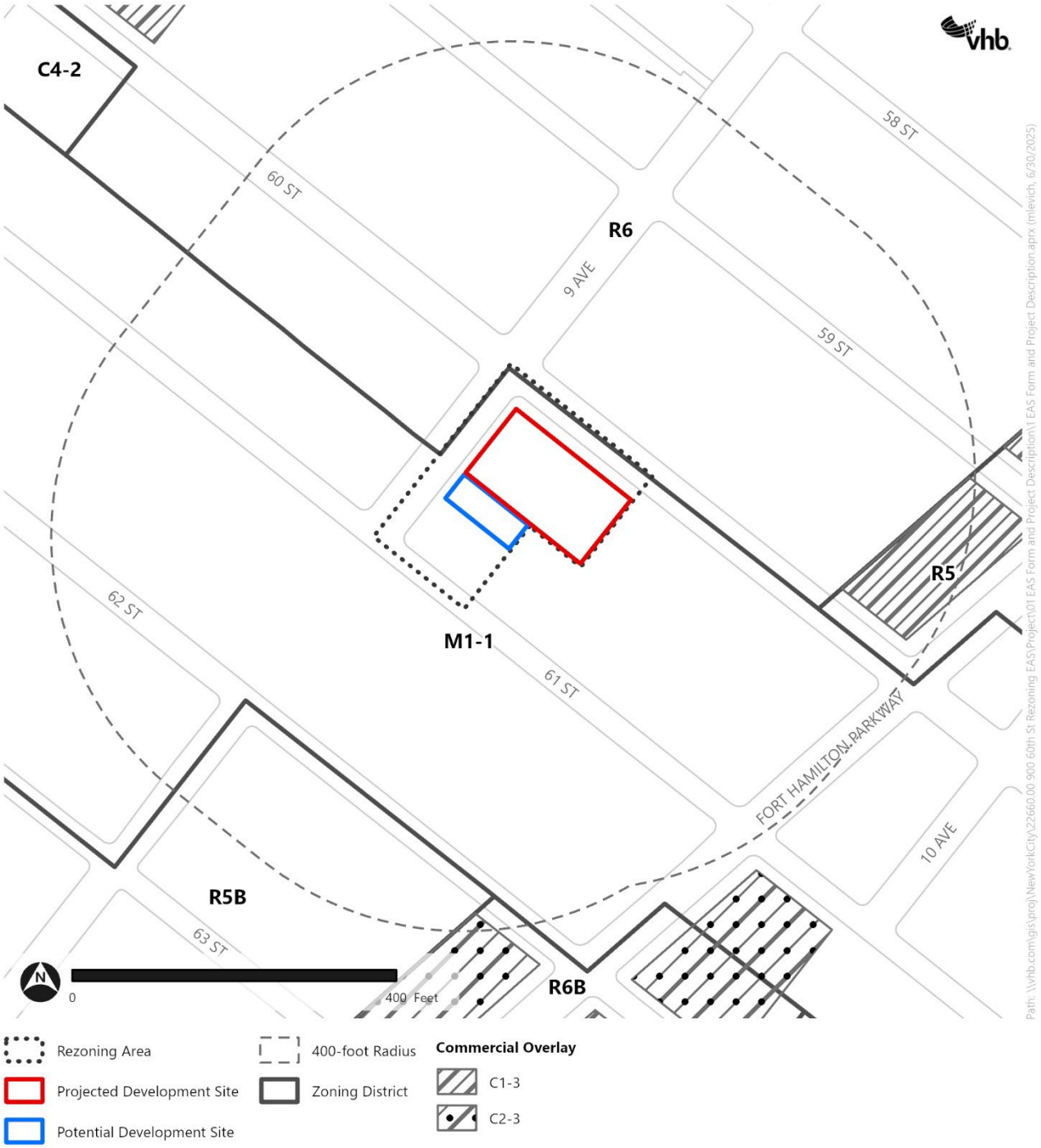
Zoning

Development Site and Rezoning Area

As shown in **Figure 2-2**, the Rezoning Area is entirely mapped in an M1-1 manufacturing zoning district. M1 districts are light manufacturing districts where industrial uses are subject to strict performance requirements. Light industrial uses such as woodworking shops, repair shops, and wholesale service and storage facilities are typical of M1 districts; however, offices, hotels and most retail uses are also permitted. Certain community facilities, such as hospitals, are allowed in M1 districts only by special permit, but houses of worship are allowed as-of-right. M1-1 zoning districts allow 1.0 FAR, with a maximum building height of 30 feet or two stories, and 10- or 15-foot setbacks depending on street width. M1-1 zoning are widely mapped throughout historically industrial and manufacturing neighborhoods in Brooklyn, Queens, and the Bronx. M1-1 zoning districts require at least a 20-foot rear yard for interior lots, while through lots require at least a 40-foot rear yard. There are no requirements for side yards. Residential uses are not permitted as-of-right in M1 districts.

The Rezoning Area is located in the Outer Transit Zone, where parking requirements are reduced.

Figure 2-2 Zoning Map



Source: NYC DCP (2025)

Study Area

The majority of the study area is located within both an M1-1 zoning district, which is described above, and an R6 residential district mapped to north of the Development Site along 60th Street. The study area also includes a small portion of an R5B residential district, located to the south of the Development Site, and an R5 residential district with a C1-3 commercial overlay, located to the east.

R6 districts are medium-density, non-contextual residential zoning districts commonly found in built-up areas of Brooklyn, Queens, and the Bronx. These districts offer two sets of bulk regulations: standard height factor regulations and the voluntary Universal Affordability Preference (UAP) bonus, allowing developers flexibility in building design. Under standard height factor regulations, buildings are typically tall and set back from the street, surrounded by open space. The FAR in these cases ranges from 0.78 for single-story buildings up to 2.43 for buildings around 13 stories tall, though higher FARs require a larger open space ratio. Alternatively, the UAP program increases the maximum permitted residential FAR for buildings offering qualifying affordable or senior housing. Following the 2024 City of Yes for Housing Opportunity zoning amendment, developments in R6 districts are now eligible for the UAP bonus, and can have up to 3.9 FAR if that additional space is dedicated to permanently affordable housing targeted at households earning approximately 60 percent AMI.

R5 zoning districts are low-density, non-contextual residential districts that typically allow three- or four-story detached houses or small apartment houses. With a maximum allowable FAR of 1.50 (2.00 for Qualifying Residential Sites) and a height limit of 45 feet, R5 districts provide a transition between lower- and higher-density neighborhoods and are widely mapped in Brooklyn, Queens, and the Bronx.

R5B zoning districts are low-density, contextual residential districts designed to maintain the character of established neighborhoods where rowhouse buildings are common. The maximum allowable FAR of 1.50 (2.00 for Qualifying Residential Sites) typically produces a building with a maximum street wall height of 30 feet, above which the building slopes or is set back to a maximum height of 35 feet.

C1-3 commercial overlays are mapped within residential areas serving local retail needs, including neighborhood grocery stores, restaurants, and beauty parlors. The maximum commercial FAR is 1.0.

The entire study area is within the Outer Transit Zone, where accessory off-street parking requirements are reduced for new residential development.

No-Action Condition

Land Use

Rezoning Area and Development Site

In the future absent approval of the Proposed Actions (the future No-Action condition), it is expected that no development would occur in the Rezoning Area or on the Development Site by the 2029 analysis year. The Development Site would continue to be occupied by a single-story commercial building.

Study Area

There are no known anticipated development projects in the study area. It is anticipated that the existing conditions would remain in 2029 with respect to land use.

Zoning

There are no anticipated zoning changes within the study area under the No-Action condition. The Development Site, Rezoning Area, and study area would continue to be governed by the various zoning regulations in the area, as described in the existing conditions section above.

With-Action Condition

The Proposed Actions, as detailed in **Part I: Project Description** and above, would facilitate the development of a new mixed-use residential and commercial building on the Development Site, and could also allow for the development of a new mixed-use building on the Potential Development Site. The Proposed Project would contain approximately 115,379 gsf of residential space, approximately 11,955 gsf of commercial space on the ground floor, and 50 non-attended accessory parking spaces on the cellar level. The Proposed Project would provide approximately 140 DUs, 28 to 42 of which would be designated as permanently affordable pursuant to MIH. To facilitate the development of the Proposed Project, the existing commercial building on the Development Site would be demolished.

Additionally, the Proposed Actions could result in new development on the non-Applicant-owned Potential Development Site. The Potential Development is assumed to be a mixed-use multi-family residential building with approximately 4,000 gsf of ground floor retail space and roughly 27 DUs, of which 5 to 8 would be designated as permanently affordable through MIH. The Potential Development could reach up to 12-stories and 145-feet-tall (190 with bulkhead) with approximately 27,000 gsf in total.

Land Use

The Proposed Actions would introduce residential and commercial (local retail) uses to the Development Site, which is currently occupied by a single-story commercial retail space. The Development Site is appropriate for mixed-use development because it is located along Wide Streets and is well served by public transit. The Development Site is approximately 0.2 miles from the N train at the 8th Avenue Street Subway Station as well as the Fort Hamilton Parkway Subway Station. Additionally, there are three local bus routes (B9, B16, and B70) within a 5-minute walk of the Development Site. There is also a CitiBike docking station located along 7th Avenue near 62nd Street. The Development Site is surrounded by residential uses and uses that are complementary to residential uses (community facility and local commercial uses). While there are industrial uses within 400 feet of the Development Site, the site is largely buffered from these uses by the below-grade railways to the south.

Compared to the No-Action condition, in which the existing non-conforming residential uses would remain on the non-Applicant-owned lots (Block 5715, Lots 1, 2, 3), the With-Action condition represents a more appropriate land use because it would bring these existing residential uses into conformance. The Potential Development Site on the non-Applicant owned Lot 4 could be redeveloped with a mixed-use multifamily residential and commercial building, helping to alleviate

the severe need for affordable housing while offering local retail complementary to the surrounding neighborhood. Furthermore, the Proposed Actions would enable the Development Site to be used for housing, including affordable housing, to address the urgent housing needs of the City and the local community.

Based on the foregoing, the Proposed Actions would facilitate development that would be compatible with the land use patterns of the Rezoning Area's immediate surroundings.

Zoning

As detailed in **Part I: Project Description**, the Proposed Actions would include the following zoning changes:

- A zoning map amendment to rezone the Rezoning Area from an M1-1 zoning district to a C4-5X zoning district.
- A zoning text amendment to the Zoning Resolution of the City of New York (ZR), to amend ZR Appendix F to map an MIH area coterminous with the Rezoning Area.

The proposed rezoning from an M1-1 to a C4-5X zoning district would enable mixed-use residential and commercial development on the Development Site at a scale and height that would be appropriate given the site's adjacency to Wide Streets and proximity to public transit. The proposed C4-5X zoning district, which has a residential equivalent of an R7X zoning district, would permit 6.0 FAR and a building height of 145 feet with MIH. While the proposed zoning would allow for more FAR and taller buildings than are currently present or permitted in the study area, it would introduce residential and commercial development that is appropriate for the site and compatible with the surrounding neighborhood. As noted above, the Development Site is well-served by public transit including buses, subways, and CitiBike.

The proposed C4-5X commercial district would allow for a range of local retail and residential uses that complement the neighborhood's predominantly commercial, residential, and mixed-use activities. Additionally, the Proposed Actions would bring the existing residential uses on the non-Applicant-owned lots (Lots 1, 2, and 3) within the Rezoning Area into conformance.

The proposed zoning text amendment to designate the Rezoning Area as an MIH area is necessary to ensure permanent housing affordability for any new development on the Development Site. As discussed further below under **Public Policy**, the mapping of MIH and the provision of permanently affordable housing on the Development Site are consistent with the City's housing goals.

Conclusion

Based on the analysis presented above, the Proposed Actions would not result in significant adverse impacts related to land use, zoning, or public policy. The Proposed Actions would introduce residential and commercial land uses to the Development Site that are already present in the surrounding neighborhood. The Development Site is more suitable for this mixed-use development compared to the existing single-story commercial building, which would remain absent the Proposed Actions.

The proposed C4-5X zoning district with MIH is appropriate for the Rezoning Area, which is adjacent to an R6 zoning district that defines the neighborhood context to the north and east of the Rezoning Area as largely residential. While the proposed C4-5X district would allow for more FAR and height

than is currently allowed in the study area, the Rezoning Area is suitable for this density because of its access to public transit and location along Wide Streets. Situated on a corner lot at the intersection of two Wide Streets (9th Avenue and 60th Street), the Development Site is an appropriate location for the residential density and active ground floor retail space permitted under a C4-5X zoning district. Additionally, the proposed C4-5X district would allow for a range of commercial uses compatible with the surrounding residential neighborhood, while bringing the existing non-conforming residential uses with the Rezoning Area into conformance.

The proposed text amendment for MIH would ensure permanent affordability for future residential development within the Rezoning Area and facilitate the development of up to 50 affordable DUs between the Development Site and the Potential Development Site, which is in alignment with citywide housing goals. Therefore, the Proposed Actions would not result in significant adverse impacts related to land use, zoning, or public policy.

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3

Shadows

A shadow is defined in the *2025 CEQR Technical Manual* as the condition that results when a building or other built structure blocks the sunlight that would otherwise directly reach a certain area, space, or feature. The purpose of this section is to assess whether new structures may cast shadows on sunlight sensitive publicly accessible resources or other resources of concern such as natural resources, and to assess the significance of their impact.

Introduction

According to the *CEQR Technical Manual*, a shadows assessment is required for projects that would result in with-action structures of 250 feet or more, with-action structures between 50 and 250 feet that are located adjacent to, within, or across the street from a sunlight-sensitive resource, or projects resulting in greater than 50 feet of incremental height change or substantial changes in bulk. A significant adverse shadow impact can occur when the incremental shadow added by a project falls on a sunlight-sensitive resource and substantially reduces or completely eliminates direct sunlight exposure, thereby significantly altering the public's use of the resource or threatening the viability of vegetation or other resources.

The Proposed Actions would facilitate the construction of a new 12-story, 145-foot-tall (190 feet including bulkhead) building on the Applicant-owned Development Site (Brooklyn Block 5715, Lot 6; a.k.a. the Projected Development Site), and could also result in the development of a new 12-story, 145-foot-tall (190 feet including bulkhead) building on the Potential Development Site (Block 5715, Lot 4) in the Sunset Park neighborhood of Brooklyn, Community District 12. Since these With-Action buildings would represent a height increase over the No-Action condition of greater than 50 feet, an analysis of project-generated shadows is warranted.

Methodology

Identification of Sunlight-Sensitive Resources

The *CEQR Technical Manual* defines sunlight-sensitive resources as those resources that depend on sunlight or for which direct sunlight is necessary to maintain the resource's usability or architectural integrity. The following are considered to be sunlight-sensitive resources: [1]

- Public open space (e.g., parks, beaches, playgrounds, plazas, schoolyards, greenways, and landscaped medians with seating). Planted areas within unused portions of roadbeds that are part of the Greenstreets program are also considered sunlight-sensitive resources. The uses and vegetation in an open space establish its sensitivity to shadows. This sensitivity is assessed for both (1) warm-weather-dependent features like wading pools and sand boxes, or vegetation that could be affected by loss of sunlight during the growing season (i.e., March through October); and (2) features such as benches that could be affected by a loss of winter sunlight. Uses that rely on sunlight include passive uses, such as sitting or sunning; active uses, such as playfields or paved courts; and such activities as gardening, or children's wading pools and sprinklers. Where lawns are actively used, the turf requires extensive sunlight. Vegetation requiring direct sunlight includes the tree canopy, flowering plants, and plots in community gardens. Generally, four to six hours a day of sunlight, particularly in the growing season, is a minimum requirement for most vegetation. Consistent with *CEQR Technical Manual* methodology, private open spaces that are not routinely accessible to the public are not considered in a shadows analysis. Similarly, open spaces associated with residential buildings are not considered. In addition, historic resources that do not have sunlight-sensitive features are not considered in the shadows analysis.
- Features of historic architectural resources that depend on sunlight for their enjoyment by the public. Only the sunlight-sensitive features are considered, as opposed to the entire architectural resource. Sunlight-sensitive features include the following: design elements that are part of a recognized architectural style that depends on the contrast between light and dark (e.g., deep recesses or voids such as open galleries, arcades, recessed balconies, deep window reveals, and prominent rustication); elaborate, highly carved ornamentation; stained-glass windows; exterior building materials and color that depend on direct sunlight for visual character (e.g., the polychromy (multicolored) features found on Victorian Gothic Revival or Art Deco façades); historic landscapes, such as scenic landmarks including vegetation recognized as an historic feature of the landscape; and structural features for which the effect of direct sunlight is described as playing a significant role in the structure's importance as an historic landmark.
- Natural resources where the introduction of shadows could alter the resource's condition or microclimate. Such resources could include surface waterbodies, wetlands, or designated resources such as coastal fish and wildlife habitats.

[1] According to the *CEQR Technical Manual*, City streets, sidewalks, and private open spaces (such as private residential front and backyards, stoops, and vacant lots) are not considered to be sunlight-sensitive resources.

Screening and Assessment Methodology

In accordance with the *CEQR Technical Manual*, a preliminary screening assessment is conducted to ascertain whether shadows resulting from a project could reach any sunlight-sensitive resource at any time of year. This preliminary screening assessment consists of three tiers of analysis:

- **Tier 1 Screening:** The first tier determines a simple radius around the proposed buildings representing the longest shadow that could be cast. The radius is equivalent to 4.3 times the maximum height of the projected or potential buildings. If there are sunlight-sensitive resources within the radius, the analysis proceeds to the second tier;
- **Tier 2 Screening:** The second-tier analysis reduces the area that could be affected by project-generated shadows by accounting for a specific range of angles that can never receive shade in New York City due to the path of the sun in the northern hemisphere. According to the *CEQR Technical Manual*, shadows can only be cast within New York City within 108 degrees from True North. Topographic lines are included to demonstrate the terrain of the area;
- **Tier 3 Screening:** If the second tier of analysis does not eliminate the possibility of new shadows on sunlight-sensitive resources, a third tier of screening analysis further refines the area that could be reached by new shadows by looking at specific representative days of the year and determining the maximum extent of shadow over the course of each representative day. For the Tier 3 screening, three-dimensional modeling software with the capacity to model shadows is used, and the With-Action condition is modeled and geo-located within the program. Terrain is also incorporated into the model to account for how changes in elevation throughout the study area can influence shadows that could be cast by the With-Action buildings. The representative days are December 21 (winter solstice), June 21 (summer solstice), March 21/September 21 (vernal/autumnal equinox), and May 6/August 6 (halfway between summer solstice and the equinoxes). The modeling software is also used to approximate times that shadows cast from the With-Action buildings could enter and exit a resource.

Detailed Assessment

If the Tier 3 screening indicates that, in the absence of intervening buildings, shadows from the buildings facilitated by the Proposed Actions (the With-Action buildings) would reach a sunlight sensitive resource on any of the representative analysis days, a detailed shadow analysis would be warranted. Because existing buildings (or No-Action buildings) may already cast shadows on a sun-sensitive resource, the projected and/or potential buildings may not result in additional (incremental) shadows upon that resource. The detailed shadow analysis models a baseline condition (future No-Action) that is compared to the future condition resulting from the Proposed Actions (future With-Action) to illustrate the shadows cast in the No-Action condition and distinguish the additional (incremental) shadow cast by the projected and/or potential buildings.

For the Proposed Actions, a preliminary assessment (Tiers 1 through 3) was undertaken. It was determined that a detailed analysis was not needed because there would be no shadows on sunlight-sensitive resources even in the absence of intervening buildings.

Determination of Significance

As described in the *CEQR Technical Manual*, an incremental shadow is generally not considered significant when its duration is no longer than 10 minutes at any time of year and the resource

continues to receive substantial direct sunlight. A significant shadow impact can occur when an incremental shadow of 10 minutes or longer falls on a sunlight-sensitive resource and results in one of the following:

- Vegetation: a substantial reduction in sunlight available to a sunlight-sensitive feature of the resource to less than the minimum time necessary for its survival (when there was sufficient sunlight in the future without the project) or a reduction in direct sunlight exposure where the sensitive feature of the resource is already subject to substandard sunlight (i.e., less than the minimum time necessary for its survival).
- Historic and cultural resources: a substantial reduction in sunlight available for the enjoyment or appreciation of the sunlight-sensitive features of a historic or cultural resource.
- Open space utilization: a substantial reduction in the usability of open space as a result of increased shadow, with consideration given to anticipated new users and the open space's utilization rates throughout the affected time periods as well as to the inventory of available open space resources in the study area.
- For any sunlight-sensitive feature of a resource: complete elimination of all direct sunlight on the sunlight-sensitive feature of the resource, when the complete elimination results in substantial effects on the survival; enjoyment; or, in the case of open space or natural resources, the use of the resource.

In general, a significant adverse shadow impact occurs when the incremental shadow added by a proposed action falls on a sunlight-sensitive resource and substantially reduces or completely eliminates direct sunlight exposure, thereby significantly altering the public's use of the resource or threatening the viability of vegetation or other resources.

Preliminary Assessment

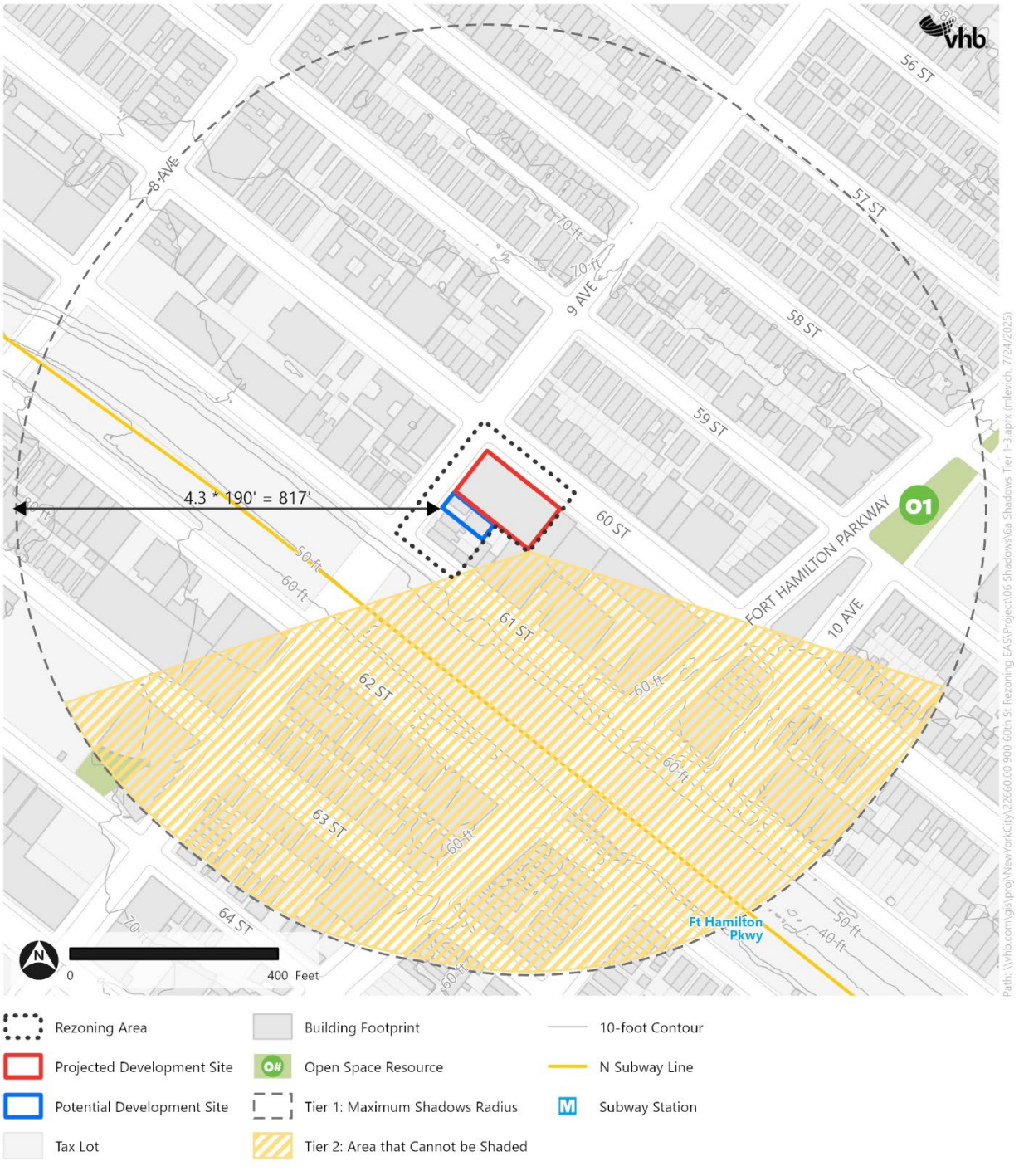
Tier 1 and 2 Screening

As discussed in **Part I: Project Description** and noted above, the Proposed Actions would facilitate the development of a 12-story, 145-foot-tall (190 feet including bulkhead) building on the Projected Development Site, and a 12-story, 145-foot-tall (190 feet including bulkhead) building the Potential Development Site. As shown in **Figure 3-1**, the Tier 1 radius—the maximum area where shadows could be cast by a building—extends approximately 817 feet from the Projected Development Site and the Potential Development Site, which is 4.3 times the maximum building height on both sites. The Tier 2 screening identifies the area between +108 and -108 degrees from true north, which is the area that cannot be shaded by buildings on the Projected Development Site and Potential Development Site.

Table 3-1 and **Figure 3-1** show the potential sunlight-sensitive resources identified in the Tier 1 and Tier 2 screening assessments that require additional analysis under Tier 3. The figure also shows the current topographic elevation of the development sites and surrounding area, which ranges from 50 feet to 70 feet (NAVD88).

As shown in **Table 3-1**, there is one sunlight-sensitive open space resource within the area that could be shaded: Bochino-Dente Plaza, a public open space resource. Additionally, there are no natural resources or architectural resources containing sunlight-sensitive features in the study area.

Figure 3-1 Tier 1 and Tier 2 Screening



Source: NYC DCP; NYC Parks

Table 3-1 Sunlight-Sensitive Resources in the Study Area

Map ID	Resource Name	Resource Summary	Sunlight-Sensitive Elements
O1	Bochino-Dente Plaza	Public plaza with trees and seating areas	Vegetation, benches

Source: NYC Department of Parks and Recreation

Tier 3 Screening Assessment

In accordance with the *CEQR Technical Manual*, a Tier 3 screening assessment was performed because the Tier 1 and Tier 2 assessments identified one sunlight-sensitive resources outside ±108 degrees from true north and within the area of the longest shadow that could be cast by the With-Action buildings.

The Tier 3 screening assessment was performed for the following four representative days of the year set forth in the *CEQR Technical Manual*: December 21, the winter solstice and shortest day of the year; March 21/September 21, the equinoxes; May 6/August 6, the midpoints between the summer solstice and the equinoxes; and June 21, the summer solstice and the longest day of the year.

In accordance with the *CEQR Technical Manual*, a model of the buildings under the With-Action condition was developed in a three-dimensional computer program (Rhino). The model was geolocated, and the surrounding terrain was imported into the model to account for differences in topography. As noted above, the Tier 3 shadow screening shows the shadows that could be cast as a result of the With-Action buildings, but does not account for existing buildings that may already cast shadows on the identified resource. **Figure 3-2** through **Figure 3-5** show the Tier 3 screening results.

Conclusion

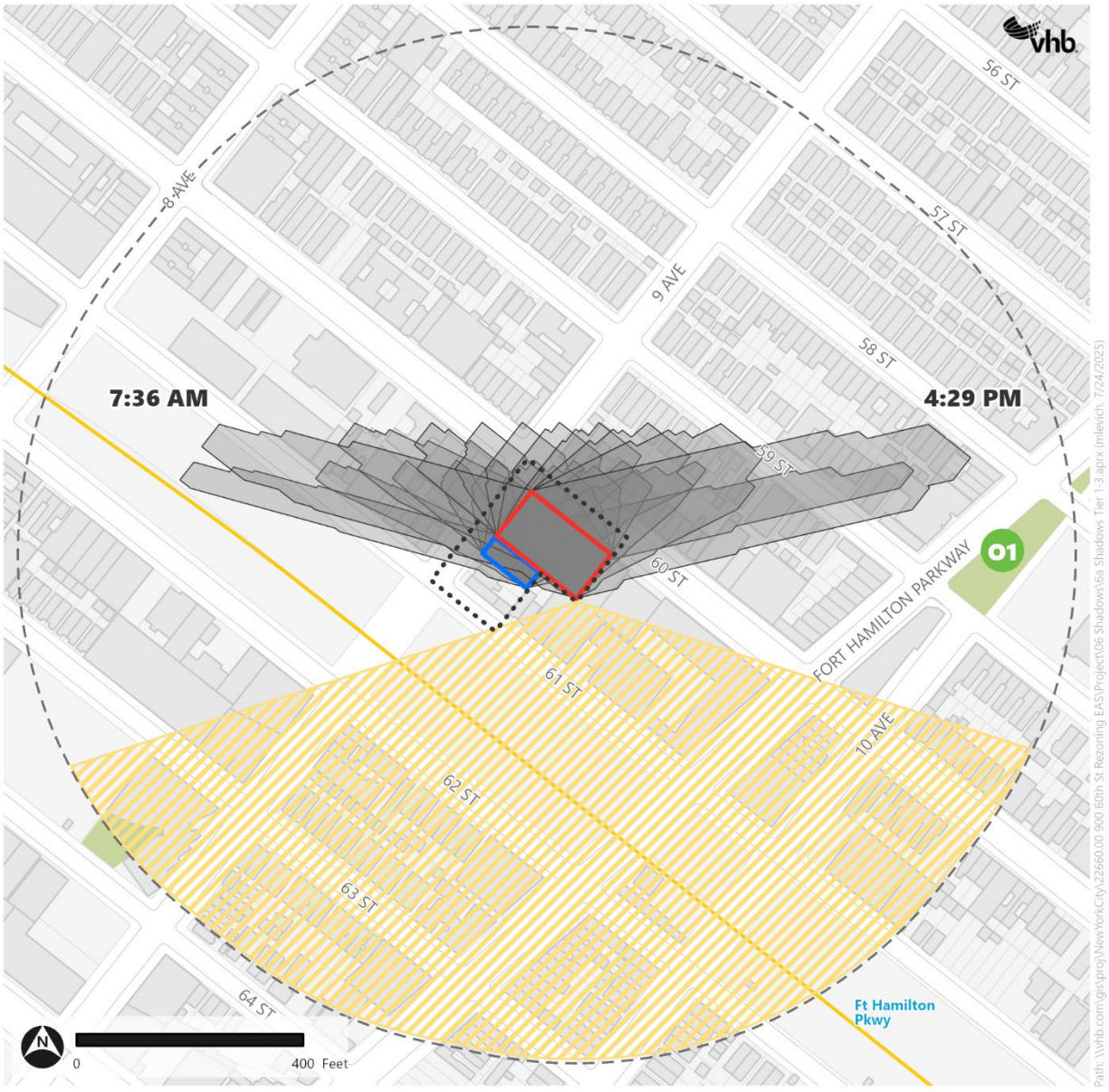
The Tier 3 screening indicates that in the absence of intervening structures, the With-Action buildings would not cast incremental shadows on any sunlight-sensitive resources. Therefore, no further analysis of shadows is warranted, and no significant adverse impacts would occur.

Figure 3-2 Tier 3 Screening December 21 Analysis Day



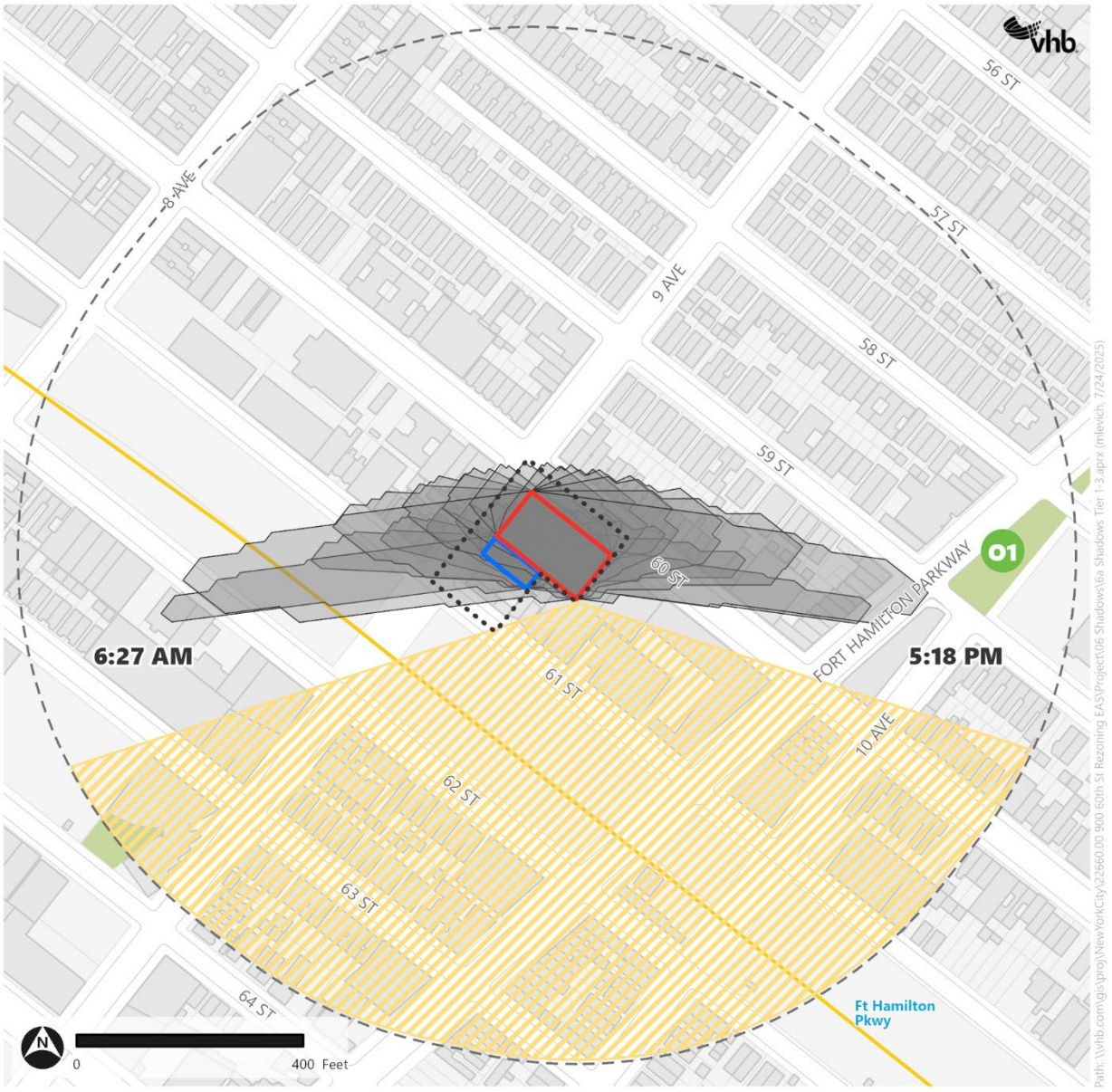
Source: NYC DCP; NYC Parks

Figure 3-3 Tier 3 Screening March 21 Analysis Day



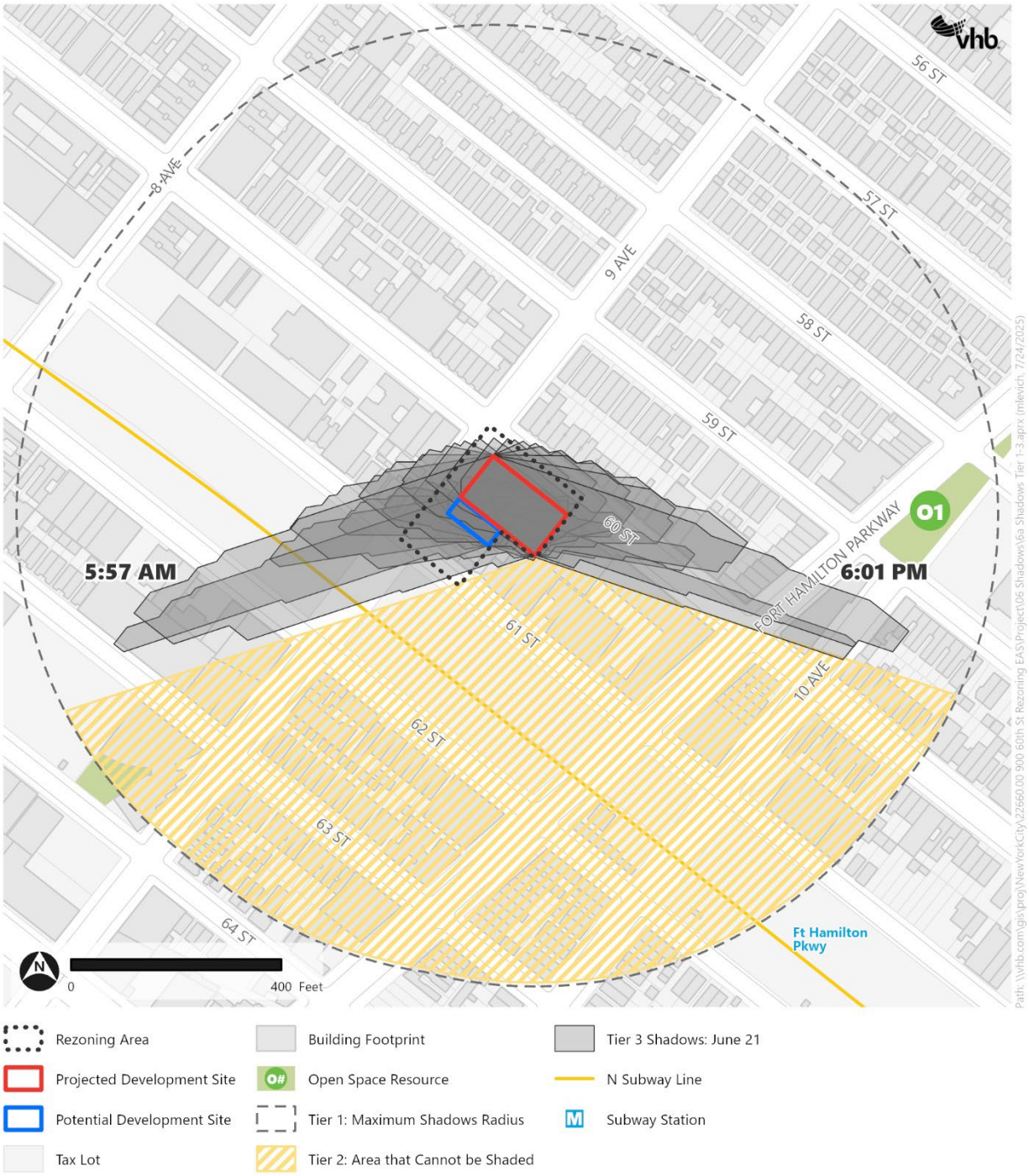
Source: NYC DCP; NYC Parks

Figure 3-4 Tier 3 Screening May 6 Analysis Day



Source: NYC DCP; NYC Parks

Figure 3-5 Tier 3 Screening June 21 Analysis Day



Source: NYC DCP; NYC Parks

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Hazardous Materials

This section assesses whether a project may increase the exposure of people or the environment to hazardous materials, and, if so, whether this increased exposure would result in potential significant adverse public health or environmental impacts.

Introduction

A hazardous material is any substance that poses a threat to human health or the environment. Substances that can be of concern include, but are not limited to, heavy metals, volatile and semi-volatile organic compounds, methane, polychlorinated biphenyls (PCBs), and hazardous wastes (defined as substances that are chemically reactive, ignitable, corrosive or toxic).

According to the *2025 CEQR Technical Manual*, the potential for significant impacts from hazardous materials can occur when:

- hazardous materials exist on a site;
- an action would increase pathways to their exposure; or
- an action would introduce new activities or processes using hazardous materials.

As indicated in the *CEQR Technical Manual*, the hazardous materials (E)-Designation is an institutional control that may be placed on a site to establish a hazardous materials review and approval framework. It provides a mechanism to ensure that testing for and remediation of hazardous materials, if necessary, are completed prior to future development of an affected site, thereby eliminating the potential for a hazardous materials impact. (E)-Designated parcels are administered under the authority of the New York City Mayor's Office of Environmental Remediation (OER).

As detailed in **Part I: Project Description**, the Applicant is seeking a zoning map amendment and a zoning text amendment to Appendix F of New York City Zoning Resolution (ZR) to designate a

Mandatory Inclusionary Housing (MIH) area coterminous with the Rezoning Area boundary (the Proposed Actions).

The Proposed Actions would facilitate the development of a new approximately 144,834-gross-square-foot (gsf) mixed-use residential and commercial building on the Development Site (Brooklyn Block 5715, Lot 6) that would introduce new residents and workers to an area with a history of manufacturing uses and reason to suspect the presence of hazardous materials.

In addition to the Proposed Project, it is possible (though unlikely) that the Proposed Actions could also facilitate development on the adjacent non-Applicant-owned Lot 4 within the Rezoning Area (the Potential Development Site). In the future with the Proposed Actions, the Potential Development Site could be redeveloped with a 12-story, 145-foot-tall (up to 190 feet with bulkhead), mixed-use building with a total of 27,000 gsf (the Potential Development). The Potential Development could include approximately 4,000 gsf of commercial space on the ground floor and approximately 27 DUs, of which 5 to 8 units (20 to 30 percent) would be permanently affordable pursuant to MIH.

This section presents the findings of the hazardous materials assessment and identifies potential issues of concern with respect to workers, the community, and/or the environment during construction and after implementation of the Proposed Actions.

Methodology

The potential for hazardous materials was evaluated based on the following documents:

› Phase I Environmental Site Assessment (ESA), dated May 5, 2022, prepared by Gabriel Environmental Group (Gabriel).

A Phase I ESA was prepared on May 5, 2022 in accordance with ASTM Practice E1527-13, inclusive of the "All Appropriate Inquiry" requirement amended in the Federal Register on December 30, 2013. The United States Environmental Protection Agency (EPA) "All Appropriate Inquiry" requirement establishes specific regulatory requirements for conducting appropriate inquiries into the previous ownership, uses, and environmental conditions of a property for the purposes of qualifying for certain landowner liability protections under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA).

Preliminary Assessment

Existing Conditions

The Development Site is a rectangular, 18,000 square-foot (sf), corner tax lot with 180 feet of frontage along 60th Street and 100 feet of frontage along 9th Avenue, and is occupied by a single-story, approximately 20-foot-tall, commercial building constructed in 1964 and altered in 1996 that has full lot coverage. The Development Site is currently occupied by Kids Palace, a commercial indoor play center designed for children.

Phase I Environmental Site Assessment

The Phase I ESA, dated May 5, 2022, was completed for the Development Site and included analyses as specified in the ASTM Method E1527-13. The goal of the Phase I ESA process is to identify

Recognized Environmental Conditions (RECs), which indicate the presence, or likely presence, of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of release of any hazardous substances or petroleum products into structures on the property or into the ground, ground water, or surface water of the property.

Per the current ASTM Standard, the Phase I ESA reviewed a variety of information sources, including current and historic Sanborn Fire Insurance Maps and aerial photographs; state and federal environmental regulatory databases identifying listed sites; and local environmental records. The Phase I ESA also included reconnaissance of the Development Site and surrounding neighborhood and observation of surrounding properties. No RECs were identified associated with the Development Site, however, the following Historic Recognized Environmental Condition (HREC) was identified in the Phase I ESA for the Development Site:

- The historical data reviewed indicated that the property was listed in the underground storage tank (UST) and aboveground storage tank (AST) databases for the presence of several tanks onsite. These listings are considered closed, however, USTs remain closed-in-place on the Development Site.

Future No-Action Condition

It is conservatively assumed that the existing conditions on the Development Site and within the larger Rezoning Area would remain in the future without the Proposed Actions.

Future With-Action Condition

The future With-Action condition would facilitate the construction of the Proposed Project on the Development Site as described in **Part I: Project Description**. To address any concerns relating to hazardous materials at the Development Site, a subsurface remedial investigation (RI) would be required to identify potential subsurface contamination relating to the RECs identified in the Phase I ESA. The RI would characterize the Development Site for contaminants relating to soil, groundwater, and soil vapor conditions in accordance with the *CEQR Technical Manual*. Subsurface contaminants would subsequently be addressed through the development and implementation of a Remedial Action Plan (RAP) and Construction Health and Safety Plan (CHASP) under the jurisdiction of OER. This would mitigate potential risk and exposure relating to the presence of hazardous materials in the subsurface by implementing institutional and/or engineering controls, as necessary.

The Applicant-owned Development Site is currently occupied by an active use with a full lot coverage building. This limits the feasibility of performing a complete subsurface investigation to characterize current environmental conditions at the site. Additionally, the Potential Development Site is not owned or controlled by the Applicant, making subsurface investigation infeasible at this site, as well. As such, the Proposed Actions would include an (E)-Designation for hazardous materials (E-XXX), that would be applied to both the Development Site and the Potential Development Site (Brooklyn Block 5715, Lot 6 and Lot 4, respectively). Applying an (E)-Designation for hazardous materials provides a mechanism for regulatory oversight for future remedial action as a post-demolition and/or pre-construction/renovation requirement that would reduce or eliminate the potential for future risk or exposure as it relates to hazardous materials and the conditions identified in the Phase I ESA. Compliance in association with the hazardous materials (E)-Designation on the Development Site

would be conducted under the administration of OER. The applicable text for the (E)-Designation to be applied to Brooklyn Block 5715, Lot 4 and Lot 6 would be as follows:

Task 1: Sampling Protocol

Prior to construction, the applicant submits to OER, for review and approval, a Phase II Investigation protocol, including a description of methods and a site map with all sampling locations clearly and precisely represented.

No sampling should begin until written approval of a protocol is received from OER. The number and location of sample sites should be selected to adequately characterize the site, the specific source of suspected contamination (i.e., petroleum-based contamination and non-petroleum-based contamination), and the remainder of the site's condition. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of the sampling data. Guidelines and criteria for selecting sampling locations and collecting samples are provided by OER upon request

Task 2: Remediation Determination and Protocol

A written report with findings and a summary of the data must be submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination is made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER.

If remediation is indicated from the test results, a proposed Remedial Action Work Plan (RAWP) must be submitted to OER for review and approval. The applicant must complete such remediation as determined necessary by OER in accordance with the approved RAWP. The applicant should then provide proper documentation that remedial action has been satisfactorily completed.

An OER-approved construction-related Health and Safety Plan (CHASP) would be implemented during evacuation and construction and activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil and/or groundwater. This plan would be submitted to OER for review and approval prior to implementation.

In addition to the above, regulatory requirements relating to ACM, LBP and PCB-containing building materials would be followed as part of standard demolition and site redevelopment practices.

Conclusion

The Phase I ESA identified a HREC at the Development Site. Potential impacts relating to this condition would be addressed through the placement of a hazardous materials (E)-Designation (E-XXX) on the Development Site and Potential Development Site (Brooklyn Block 5715, Lot 6 and Lot 4, respectively). Compliance in association with the hazardous materials (E)-Designation on both sites would be conducted under the administration of OER. In addition to the above, regulatory requirements pertaining to building materials containing ACM, LBP and/or PCBs would be addressed under standard demolition/renovation procedures. With these measures in place, no significant adverse impacts with respect to hazardous materials are anticipated.

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According to the *2025 CEQR Technical Manual*, the potential for significant impacts from hazardous materials can occur when:

- hazardous materials exist on a site;
- an action would increase pathways to their exposure; or
- an action would introduce new activities or processes using hazardous materials.

As indicated in the *CEQR Technical Manual*, the hazardous materials (E)-Designation is an institutional control that may be placed on a site to establish a hazardous materials review and approval framework. It provides a mechanism to ensure that testing for and remediation of hazardous materials, if necessary, are completed prior to future development of an affected site, thereby eliminating the potential for a hazardous materials impact. (E)-Designated parcels are administered under the authority of the New York City Mayor's Office of Environmental Remediation (OER).

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In addition to the Proposed Project, it is possible (though unlikely) that the Proposed Actions could also facilitate development on the adjacent non-Applicant-owned Lot 4 within the Rezoning Area (the Potential Development Site). In the future with the Proposed Actions, the Potential Development Site could be redeveloped with a 12-story, 145-foot-tall (up to 190 feet with bulkhead), mixed-use building with a total of 27,000 gsf (the Potential Development). The Potential Development could include approximately 4,000 gsf of commercial space on the ground floor and approximately 27 DUs, of which 5 to 8 units (20 to 30 percent) would be permanently affordable pursuant to MIH.

This section presents the findings of the hazardous materials assessment and identifies potential issues of concern with respect to workers, the community, and/or the environment during construction and after implementation of the Proposed Actions.

Methodology

The potential for hazardous materials was evaluated based on the following documents:

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Per the current ASTM Standard, the Phase I ESA reviewed a variety of information sources, including current and historic Sanborn Fire Insurance Maps and aerial photographs; state and federal environmental regulatory databases identifying listed sites; and local environmental records. The Phase I ESA also included reconnaissance of the Development Site and surrounding neighborhood and observation of surrounding properties. No RECs were identified associated with the Development Site, however, the following Historic Recognized Environmental Condition (HREC) was identified in the Phase I ESA for the Development Site:

- The historical data reviewed indicated that the property was listed in the underground storage tank (UST) and aboveground storage tank (AST) databases for the presence of several tanks onsite. These listings are considered closed, however, USTs remain closed-in-place on the Development Site.

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It is conservatively assumed that the existing conditions on the Development Site and within the larger Rezoning Area would remain in the future without the Proposed Actions.

Future With-Action Condition

The future With-Action condition would facilitate the construction of the Proposed Project on the Development Site as described in **Part I: Project Description**. To address any concerns relating to hazardous materials at the Development Site, a subsurface remedial investigation (RI) would be required to identify potential subsurface contamination relating to the RECs identified in the Phase I ESA. The RI would characterize the Development Site for contaminants relating to soil, groundwater, and soil vapor conditions in accordance with the *CEQR Technical Manual*. Subsurface contaminants would subsequently be addressed through the development and implementation of a Remedial Action Plan (RAP) and Construction Health and Safety Plan (CHASP) under the jurisdiction of OER. This would mitigate potential risk and exposure relating to the presence of hazardous materials in the subsurface by implementing institutional and/or engineering controls, as necessary.

The Applicant-owned Development Site is currently occupied by an active use with a full lot coverage building. This limits the feasibility of performing a complete subsurface investigation to characterize current environmental conditions at the site. Additionally, the Potential Development Site is not owned or controlled by the Applicant, making subsurface investigation infeasible at this site, as well. As such, the Proposed Actions would include an (E)-Designation for hazardous materials (E-XXX), that would be applied to both the Development Site and the Potential Development Site (Brooklyn Block 5715, Lot 6 and Lot 4, respectively). Applying an (E)-Designation for hazardous materials provides a mechanism for regulatory oversight for future remedial action as a post-demolition and/or pre-construction/renovation requirement that would reduce or eliminate the potential for future risk or exposure as it relates to hazardous materials and the conditions identified in the Phase I ESA. Compliance in association with the hazardous materials (E)-Designation on the Development Site

would be conducted under the administration of OER. The applicable text for the (E)-Designation to be applied to Brooklyn Block 5715, Lot 4 and Lot 6 would be as follows:

Task 1: Sampling Protocol

Prior to construction, the applicant submits to OER, for review and approval, a Phase II Investigation protocol, including a description of methods and a site map with all sampling locations clearly and precisely represented.

No sampling should begin until written approval of a protocol is received from OER. The number and location of sample sites should be selected to adequately characterize the site, the specific source of suspected contamination (i.e., petroleum-based contamination and non-petroleum-based contamination), and the remainder of the site's condition. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of the sampling data. Guidelines and criteria for selecting sampling locations and collecting samples are provided by OER upon request

Task 2: Remediation Determination and Protocol

A written report with findings and a summary of the data must be submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination is made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER.

If remediation is indicated from the test results, a proposed Remedial Action Work Plan (RAWP) must be submitted to OER for review and approval. The applicant must complete such remediation as determined necessary by OER in accordance with the approved RAWP. The applicant should then provide proper documentation that remedial action has been satisfactorily completed.

An OER-approved construction-related Health and Safety Plan (CHASP) would be implemented during evacuation and construction and activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil and/or groundwater. This plan would be submitted to OER for review and approval prior to implementation.

In addition to the above, regulatory requirements relating to ACM, LBP and PCB-containing building materials would be followed as part of standard demolition and site redevelopment practices.

Conclusion

The Phase I ESA identified a HREC at the Development Site. Potential impacts relating to this condition would be addressed through the placement of a hazardous materials (E)-Designation (E-XXX) on the Development Site and Potential Development Site (Brooklyn Block 5715, Lot 6 and Lot 4, respectively). Compliance in association with the hazardous materials (E)-Designation on both sites would be conducted under the administration of OER. In addition to the above, regulatory requirements pertaining to building materials containing ACM, LBP and/or PCBs would be addressed under standard demolition/renovation procedures. With these measures in place, no significant adverse impacts with respect to hazardous materials are anticipated.

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5

Air Quality

Ambient air quality, or the quality of the surrounding air, may be affected by air pollutants produced by motor vehicles, referred to as "mobile sources"; by fixed facilities, usually referenced as "stationary sources"; or by a combination of both. Under *City Environmental Quality Review (CEQR) Technical Manual* guidance, an air quality assessment determines both a proposed project's effects on ambient air quality as well as the effects of ambient air quality on the project.

Introduction

As discussed in the *2025 CEQR Technical Manual*, an air quality assessment determines both a proposed project's effects on ambient air quality as well as the effects of ambient air quality on the project. An air quality analysis considers the following types of potential impacts:

- Potential impacts from mobile sources introduced by a project;
- Potential impacts from stationary air pollutant sources introduced by a project, such as:
  - Emissions from a project's heating, ventilation, and air conditioning (HVAC) system
  - Emissions from a project's enclosed parking garage;
- Potential impacts on a proposed project's sensitive uses (e.g., residences) from manufacturing/processing facilities; large/major sources; or other sources of air emissions, such as atypical sources (e.g., elevated highways or bridges), that are located near the project site.

The Proposed Actions would facilitate the redevelopment of a site located at 900 60th Street in the Sunset Park neighborhood of Brooklyn at Block 5715, Lot 6 (the Development Site). The Development Site would be redeveloped with an approximately 144,834-gross-square-foot (gsf) mixed-use residential and commercial building with a subgrade 50-space accessory parking garage. The building would be 12 stories and would reach approximately 145 feet in height (190 feet with

bulkhead). For the purpose of providing a conservative analysis the With-Action condition also assumes a Potential Development Site on Lot 4 of the same block that is not owned by the Applicant. The Potential Development Site could be developed with a 27,000-gsf, 145-foot-tall (190 feet with bulkhead) mixed-use residential and commercial building.

Air Quality Standards

In accordance with the requirements of the Clean Air Act (CAA), as amended in 1990, the United States Environmental Protection Agency (EPA) has promulgated National Ambient Air Quality Standards (NAAQS) (40 CFR part 50) for pollutants considered harmful to public health and the environment. The CAA established two types of national air quality standards: primary and secondary. Primary standards set limits to protect public health, including the health of sensitive populations such as the sick, children, and the elderly. Secondary standards set limits to protect public welfare, including protection against decreased visibility and against damage to animals, crops, vegetation, and buildings.

The EPA Office of Air Quality Planning and Standards (OAQPS) has set NAAQS for six principal pollutants, which are called "criteria" pollutants. These six pollutants are ozone (O_3), carbon monoxide (CO), nitrogen dioxide (NO_2), sulfur dioxide (SO_2), particulate matter less than 10 microns in aerodynamic diameter (PM_{10}) and less than 2.5 microns in aerodynamic diameter ($PM_{2.5}$), and lead (Pb). These standards are reviewed every five years and may be revised, and these pollutants are found and formed from various sources (see **Pollutants of Concern**). Ambient concentrations of O_3 are formed in the atmosphere by complex photochemical processes that include nitrogen oxides (nitric oxide (NO) and nitrogen dioxide (NO_2), collectively referred to as NO_x) and volatile organic compounds (VOCs). CO is predominantly influenced by mobile source emissions. Particulate matter (PM), VOCs, and NO_x are emitted from both mobile and stationary sources. Fine PM is also formed when emissions of NO_x, sulfur oxides (SO_x), ammonia, organic compounds, and other gases react or condense in the atmosphere. Emissions of SO_2 are associated mainly with stationary sources, and some sources utilizing non-road diesel such as large international marine engines. On-road diesel vehicles currently contribute very little to SO_2 emissions since the sulfur content of on-road diesel fuel, which is federally regulated, is extremely low.

The NAAQS are presented in **Table 5-1**.

Table 5-1 National Ambient Air Quality Standards

Pollutant	Primary/ Secondary	Averaging Level	Level	Form
Carbon Monoxide (CO)	Primary	8 hours	9 ppm	Not to be exceeded more than once per year
		1 hour	35 ppm	
Lead (Pb)	Primary and secondary	Rolling 3-month average	0.15 µg/m^3 (1)	Maximum arithmetic mean of 3 consecutive monthly means in a 3-year period
Nitrogen Dioxide (NO_2)	Primary	1 hour	100 ppb	Annual 98th percentile of 1-hour daily maximum concentrations, averaged over 3 years
	Primary and secondary	1 year	53 ppb (2)	Annual mean
Ozone (O_3)	Primary and secondary	8 hours	0.070 ppm (3)	Annual fourth-highest daily maximum 8-hour concentration, averaged over 3 years
Particulate Matter ($PM_{2.5}$)	Primary	1 year	9.0 µg/m^3	Annual mean, averaged over 3 years
	Secondary	1 year	15.0 µg/m^3	Annual mean, averaged over 3 years
	Primary and secondary	24 hours	35 µg/m^3	98th percentile, averaged over 3 years
Particulate Matter (PM_{10})	Primary and secondary	24 hours	150 µg/m^3	Not to be exceeded more than once per year on average over 3 years
Sulfur Dioxide (SO_2)	Primary	1 hour	75 ppb(4)	Annual 99th percentile of 1-hour daily maximum concentrations, averaged over 3 years
	Secondary	1 year	10 ppb	Annual mean, averaged over 3 years

Notes:

[1] In areas designated nonattainment for the Pb standards prior to the promulgation of the current (2008) standards, and for which implementation plans to attain or maintain the current (2008) standards have not been submitted and approved, the previous standards (1.5 µg/m3 as a calendar quarter average) also remain in effect.

[2] The level of the annual NO2 standard is 0.053 ppm. It is shown here in terms of ppb for the purposes of clearer comparison to the 1-hour standard level.

[3] Final rule signed October 1, 2015, and effective December 28, 2015. The previous (2008) O3 standards additionally remain in effect in some areas. Revocation of the previous (2008) O3 standards and transitioning to the current (2015) standards will be addressed in the implementation rule for the current standards. Additionally, some areas may have certain continuing implementation obligations under the prior revoked 1-hour (1979) and 8-hour (1997) O_3 standards.

[4] The previous SO_2 standards (0.14 ppm 24-hour and 0.03 ppm annual) will additionally remain in effect in certain areas: (1) any area for which it is not yet 1 year since the effective date of designation under the current (2010) standards, and (2)any area for which an implementation plan providing for attainment of the current (2010) standard has not been submitted and approved and which is designated nonattainment under the previous SO2 standards or is not meeting the requirements of a SIP call under the previous SO2 standards (40 CFR 50.4(3)). A SIP call is an EPA action requiring a state to resubmit all or part of its State Implementation Plan to demonstrate attainment of the required NAAQS.

Source: EPA NAAQS Table, https://www.epa.gov/criteria-air-pollutants/naaqs-table, last updated on July 31, 2025.

In addition to criteria pollutants, there are other toxic air pollutants not included by the EPA in the list of principal pollutants. These pollutants are sometimes referred to as non-criteria pollutants or hazardous air pollutants (HAP) and, when emitted from mobile sources, as Mobile Source Air Toxics (MSATs). No federal ambient air quality standards have been promulgated for toxic air pollutants.

However, the New York State Department of Environmental Conservation (NYSDEC) has issued guidelines that establish acceptable ambient levels for these pollutants based on human exposure.

Pollutants of Concern

Air pollution is of concern because of its demonstrated effects on human health. Of special concern are the respiratory effects of the pollutants and their potential toxic effects, as described below:

Carbon monoxide (CO) is a colorless and odorless gas that is a product of incomplete combustion. Carbon monoxide is absorbed by the lungs and reacts with hemoglobin to reduce the oxygen carrying capacity of the blood. At low concentrations, CO has been shown to aggravate the symptoms of cardiovascular disease. It can cause headaches, nausea, and at sustained high concentration levels, can lead to coma and death.

Particulate matter is made up of small solid particles and liquid droplets. PM_{10} refers to particulate matter with a nominal aerodynamic diameter of 10 micrometers or less, and $PM_{2.5}$ refers to particulate matter with an aerodynamic diameter of 2.5 micrometers or less. Particulates can enter the body through the respiratory system. Particulates over 10 micrometers in size are generally captured in the nose and throat and are readily expelled from the body. Particulates smaller than 10 micrometers, and especially particles smaller than 2.5 micrometers, can reach the air ducts (bronchi) and the air sacs (alveoli) in the lungs. Particulates are associated with increased incidence of respiratory diseases, cardiopulmonary disease, and cancer.

Nitrogen oxides (NO_X), the most significant of which are nitric oxide (NO) and nitrogen dioxide (NO_2), can occur when combustion temperatures are extremely high (such as in engines) and atmospheric nitrogen gas combines with oxygen gas. NO is relatively harmless to humans but quickly converts to NO_2. Nitrogen dioxide has been found to be a lung irritant and can lead to respiratory illnesses. Nitrogen oxides, along with VOCs, are also precursors to ozone formation.

Non-criteria pollutants may be of concern in addition to the criteria pollutants discussed above. Non-criteria pollutants are emitted by a wide range of man-made and naturally occurring sources. Federal ambient air quality standards do not exist for non-criteria pollutants; however, the NYSDEC has issued standards for certain non-criteria compounds, including (but not limited to) beryllium, gaseous fluorides, and hydrogen sulfide. NYSDEC has also developed guidance document DAR-1 (February 2021), which contains a compilation of annual and short term (1-hour) guideline concentration thresholds for these compounds. The NYSDEC's DAR-1 guidance thresholds represent ambient levels that are considered safe for public exposure. These exposure guidelines are used in health risk assessments to determine the potential effects to the public.

Regulatory Context

The 1990 CAA with amendments resulted in areas being classified into attainment and non-attainment areas, with classifications based upon the severity of their exceedances of the air quality standards. Counties and metropolitan air quality control regions are classified and divided into one of four categories: attainment, unclassified, non-attainment, or maintenance depending upon ambient concentrations of pollutants. Attainment areas are regions where ambient concentrations of a pollutant are below the respective NAAQS; non-attainment areas are those where concentrations exceed the NAAQS. Maintenance areas are former non-attainment areas that achieved attainment.

An unclassified area is a region where data are insufficient to make a determination and is generally considered as an attainment area for administrative purposes. A single area can be in attainment of the standards for some criteria pollutants while being in non-attainment for others. When an area is designated as non-attainment by the EPA, the State is required to submit a State Implementation Plan (SIP) which outlines the plan to achieve conformity with the NAAQS and a follow-up plan for maintaining the attainment status.

Kings County is designated as a severe non-attainment area for the 2008 8-hour ozone standard and a serious non-attainment area for the 2015 8-hour ozone standard. Both designations are part of a larger New York–Northern New Jersey–Long Island, NY-NJ-CT non-attainment areas.

The county was designated as a CO maintenance area on May 20, 2002, and as a $PM_{2.5}$ maintenance area for the 2006 24-hour $PM_{2.5}$ standard on April 18, 2014. The EPA plans to designate all U.S. areas to the new $PM_{2.5}$ annual standard that was finalized on February 7, 2024. The final rule took effect on May 6, 2024. States had until February 7, 2025, to submit their initial designation recommendation to the EPA for areas under their jurisdiction. The EPA will finalize these designations by February 6, 2026. Until then, designation for the previous 2012 annual $PM_{2.5}$ standard remains valid.

Kings County is in attainment for all other criteria pollutants (PM_{10}, Pb, NO_2, and SO_2).

Impact Criteria

The predicted concentrations of pollutants of concern associated with a project are compared with either the NAAQS (presented in **Table 5-1**) for criteria air pollutants or ambient guideline concentrations for non-criteria pollutants. In general, if a project would cause the standards for any pollutant to be exceeded, it would likely result in a significant adverse air quality impact. In addition, the City's *de minimis* criteria are also used to determine significance of impacts for CO and $PM_{2.5}$.

The NYSDEC DAR-1 guidance document presents guideline concentrations in micrograms per cubic meter ($\mu g/m^3$) for short-term and annual average time periods of various air toxic compounds.[1] Pollutants with short-term averaging periods are compared against the short-term guideline concentrations (SGCs) and pollutants with annual averaging periods are compared against the annual guideline concentrations (AGCs). Residual risk of non-carcinogenic and carcinogenic pollutants is also assessed. To evaluate residual risk of non-carcinogenic toxic air emissions, hazard index is calculated based on annual exposure limits. If the combined ratio of pollutant concentration divided by pollutant annual exposure threshold for each of the toxic pollutants is found to be less than 2.0, according to DAR-1, the residual risk is deemed acceptable. In addition, the potential cancer risk associated with each carcinogenic pollutant, as well as the total cancer risk of the releases of all the carcinogenic toxic pollutants combined, can be estimated. If the total cancer risk of all the carcinogenic toxic pollutants combined is less than ten-in-one million, the residual risk is deemed acceptable. If the residual risk is acceptable, no significant adverse air quality impacts are predicted to occur due to the pollutant releases.

[1] NYSDEC DAR-1 - Guidelines for the Evaluation and Control of Ambient Air Contaminants Under 6NYCRR Part 212 http://www.dec.ny.gov/docs/air_pdf/dar1.pdf. Last updated February 2021.

CO De Minimis Criteria

New York City has developed *de minimis* criteria to assess the significance of the increase in CO concentrations that would result from the impact of project-generated mobile sources, as set forth in the *CEQR Technical Manual*. These criteria set the minimum change in CO concentration that defines a significant adverse environmental impact. Significant increases in CO concentrations in New York City are defined as:

- An increase of 0.5 ppm or more in the maximum eight-hour average CO concentration at a location where the predicted No-Action eight-hour concentration is equal to 8 ppm or between 8.0 and 9.0 ppm; or
- An increase of more than half the difference between baseline (i.e., No-Action) concentrations and the eight-hour standard, when No-Action concentrations are below 8.0 ppm.

$PM_{2.5}$ De Minimis Criteria

New York City uses *de minimis* criteria to determine a project's potential to result in a significant adverse $PM_{2.5}$ impact as set forth in the *CEQR Technical Manual*. The *de minimis* criteria are as follows:

- 24-hour maximum $PM_{2.5}$ concentration increase which is predicted to be more than half the difference between the background concentration and the 24-hour standard;
- Annual average $PM_{2.5}$ concentration increments which are predicted to be greater than 0.1 $\mu g/m^3$ at ground level on a neighborhood scale (i.e., the annual increase in concentration representing the average over an area of approximately 1 square kilometer, centered on the location where the maximum ground-level impact is predicted for stationary sources; or at a distance from a roadway corridor similar to the minimum distance defined for locating neighborhood scale monitoring stations); or
- Annual average $PM_{2.5}$ concentration increments which are predicted to be greater than 0.3 $\mu g/m^3$ at a discrete receptor location (elevated or ground level).

Background Concentrations

Background concentrations are ambient pollution levels associated with existing stationary, mobile, and other area emission sources but not with the Proposed Development. Three years of monitoring data (2019 to 2021) from NYSDEC monitoring sites closest to the Development Sites were used to develop background concentrations for pollutants associated with the project. If the pollutant concentration from the nearest monitoring station was not available, the next-closest monitoring station was selected, and so forth. Additionally, monitors were selected based on the satisfaction of minimum data completeness criteria for annual pollutant averages. These concentrations were estimated using the form of the NAAQS (see the "Form" column in **Table 5-1** for more information). **Table 5-2** summarizes the background concentrations for each of the pollutants.

Table 5-2 Background Concentrations

Pollutant	Averaging Time	Monitoring Location	Background Concentration
Carbon Monoxide (CO)	1-Hour	Queens College	2.1 ppm
	8-Hour		1.6 ppm
Nitrogen Dioxide (NO_2)	1-Hour	Queens College	97.2 µg/m^3
	Annual		26.7 µg/m^3
Particulate Matter (PM_{10})	24-Hour	Queens College	38.0 µg/m^3
Particulate Matter ($PM_{2.5}$)	24-Hour	Queens College	17.7 µg/m^3
	Annual		6.4 µg/m^3

Sources: EPA Outdoor Air Quality Data Monitor Values
µg/m^3: micrograms per cubic meter; ppm: parts per million; ppb: parts per billion

All background concentrations were developed from monitoring data collected at the Queens College monitoring station at 65-30 Kissena Boulevard in Queens.

The CEQR *de minimis* 24-hour $PM_{2.5}$ threshold based on the $PM_{2.5}$ background data was estimated to be 8.7 µg/m^3, and the CEQR *de minimis* 8-hour CO threshold based on the CO background data was estimated to be 3.7 ppm.

Preliminary Screening

As discussed above, an air quality assessment determines both a project's effects on ambient air quality and the effects of ambient air quality on the project.

In terms of potential impacts from mobile sources introduced by the project, development facilitated by the Proposed Actions would not exceed CEQR thresholds to warrant traffic analysis per *CEQR Technical Manual* Table 16-1 (as detailed in the **Part II: Supplemental Analyses** chapter). Therefore, further analysis of intersection mobile source air quality is not required.

In terms of potential impacts from air pollutant sources introduced by the project, the Proposed Project would introduce 50 parking spaces in the With-Action condition over the No-Action condition. As this is below the threshold of 85 spaces that requires a parking analysis, a parking analysis is not warranted.

In terms of potential impacts from air pollutant sources introduced by the Development Site and the Potential Development Site, the future buildings would have all-electric HVAC and hot water systems. The Development Site would commit to an electric HVAC and hot water system and the Potential Development Site would be expected to have an electric HVAC and hot water system in compliance with Local Law 154. Thus, localized HVAC and hot water system emissions impacts are not anticipated from the Proposed Project and the Potential Development, and an analysis of the proposed systems is not warranted. To ensure that there are no significant adverse impacts, an (E)-Designation would be placed on the Development Site and the Potential Development Site (E-###). The (E)-Designation text would be as follows:

Block 5715, Lot 6 (Development Site)

Any new commercial or residential development on the above-referenced property must ensure the HVAC system and hot water equipment are powered by electricity only with no venting or stacks, or an equally protective alternative (e.g., steam), to avoid any potentially significant adverse air quality impacts.

Block 5715, Lot 4 (Potential Development Site)

Any new commercial or residential development on the above-referenced property must ensure the HVAC system and hot water equipment are powered by electricity only with no venting or stacks, or an equally protective alternative (e.g., steam), to avoid any potentially significant adverse air quality impacts.

In terms of potential impacts on the Proposed Project and the Potential Development from air emissions sources near the sites, no large or major sources were identified within 1,000 feet, and thus, further analysis of large or major sources is not warranted.

Industrial Source Analysis

An assessment was conducted to determine the potential for impacts due to light industrial and/or manufacturing activities within the Rezoning Area.

Methodology

Screening Analysis

As described in Section 220 and Section 322 in Chapter 17 of the *CEQR Technical Manual*, an industrial source air quality assessment is undertaken to evaluate the potential impacts of air toxics emissions from ventilation exhaust systems of manufacturing or processing facilities within a 400-foot radius of a project site when a project would result in new sensitive uses (particularly residences, schools, hospitals, or parks). If any sources are identified, a screening analysis is performed using Table 17-3 in Chapter 17 of the *CEQR Technical Manual*. The screening table provides maximum 1-hour, 8-hour, 24-hour and annual average modeled pollutant concentration values at a 20-foot-tall receptor for incremental 30-foot distances from 30 to 400 feet from a 20-foot-tall stack. These values are based on a unit emission rate of 1 gram per second of a pollutant from the 20-foot-tall point source. Actual pollutant concentrations are obtained by multiplying the source's actual emission rates by normalized concentrations. The normalized concentrations reflect values at distances that fall within the 30-feet increments. Air toxic pollutant concentrations predicted from the industrial source of concern based on the screen table are compared with the SGCs and AGCs recommended in NYSDEC's DAR-1 AGC/SGC tables. Additionally, the sum of background concentrations and predicted criteria pollutant concentrations are compared with the NAAQS. Furthermore, as detailed in the **Impact Criteria** section above, residual risk (hazard index and cancer risk) for non-carcinogenic and carcinogenic pollutants, respectively, are also evaluated as a part of the impact assessment.

If a project fails the above screening analysis, or the screening analysis methodology is not applicable to the project, a refined analysis using EPA's AERSCREEN and/or AERMOD model is warranted to determine any potential for significant adverse impacts.

Detailed Analysis

A screening analysis of nearby industrial sources identified the need for a dispersion analysis of paint spraying and tailpipe exhaust emissions from an autobody shop near the Development Site and the Potential Development Site. Select pollutants were analyzed through detailed (dispersion) modeling.

AERMOD Dispersion Modeling

The dispersion modeling for the industrial source analysis was conducted using AERMOD version 24142. AERMOD is a state-of-the-art dispersion model, applicable to rural and urban areas, flat and complex terrain, surface and elevated releases, and multiple sources (including point, area, and volume sources). AERMOD is a steady-state plume model that incorporates current concepts about flow and dispersion in complex terrain, including updated treatments of the boundary layer theory, understanding of turbulence and dispersion, and handling of terrain interactions. The AERMOD model calculates pollutant concentrations from one or more points (e.g., exhaust stacks) based on hourly meteorological data and has the capability to calculate pollutant concentrations at locations where the plume from the exhaust stack is affected by the aerodynamic wakes and eddies (downwash) produced by nearby structures. AERMOD can be run with and without building downwash. The downwash option accounts for the effects on plume dispersion created by the structure the stack is located on, and other nearby structures. The potential impacts of the large source were estimated both as a direct plume impact and using the downwash algorithm.

Emission Rates and Stack Parameters

Emission rates and stack parameters from the facility were estimated based on information presented in New York City Department of Environmental Protection (NYCDEP) permit records for permits PA060498 and PB018911 and Google Earth satellite imagery. The pollutants of concern for the detailed analysis were 24-hour $PM_{2.5}$ and 1-hour NO_2. Short-term emission rates were estimated using data from the permit records and from Appendix B.1 of EPA's AP-42, Compilation of Air Pollutant Emissions Factors (AP-42).

Stack parameters, which include exhaust height, temperature, velocity and diameter, were determined as follows: Stack height was determined through Google Earth satellite imagery. Stack temperature, velocity and diameter were obtained from the NYCDEP permit records.

Methodology Utilized for Estimating NO_2 Concentrations

The 1-hour NO_2 concentration associated with the industrial source was estimated using the AERMOD Plume Volume Molar Ratio Method (PVMRM) module. The PVMRM module limits the NO_x to NO_2 conversion by considering NO_2 formation based on the amount of ozone within the plume volume. A default in-stack NO_2 to NO_x ratio of 0.5 and NO_2/NO_x equilibrium ratio of 0.9 were applied. Both ozone and NO_2 background data from NYSDEC were incorporated in the model:

- Background ozone concentrations from the Queens College ambient monitoring station for the latest five years (2017–2021) of hourly data were incorporated into the model.
- Hourly background NO_2 concentrations from the Queens College monitoring station for 2019 through 2021 were used.

Overall, the total 1-hour NO_2 concentration was estimated using 5 years of background ozone concentrations and seasonal hourly background NO_2 concentrations directly in the model.

Receptor Locations

Receptors were placed on the Development Site and the Potential Development Site. Receptors were spaced 20 feet horizontally and included on every floor of the buildings.

Meteorological Data

The dispersion analysis used the latest available five years (2017-2021) from NYSDEC of hourly meteorological observations from JFK Airport and upper air data from Brookhaven Station, New York.

Criteria

The resultant concentrations from the industrial source were compared with the NAAQS to determine the potential for adverse air quality impacts.

Assessment

To assess potential air quality impacts on both sites from existing industrial sources that emit toxic air contaminants, an investigation of existing land uses within a 400-foot radius of the Development Site and the Potential Development Site was conducted to identify potential sources and determine if there are active NYCDEP-issued industrial permits associated with those sources. These sources are typically sites classified as industrial/manufacturing, transportation/utility, public facilities/institutions, or commercial buildings.

Reviews of land use maps, the NYCDEP's Clean Air Tracking System (NYCDEP CATS) website, and NYCDEP permit forms were conducted to identify land uses that have NYCDEP-issued industrial permits and land uses that are unpermitted sources of air toxics within 400 feet of the Development Site and the Potential Development Site. A total of two permits and one potential unpermitted source were assessed as follows:

- Permit PA060498: Permit PA060498 is an expired permit for a spray booth at New Hope Automobile, Inc. at 925 61st Street. Google satellite imagery and reviews of the autobody shop indicate that there is active paint spraying at the site. Therefore, an industrial source analysis was conducted for the permit operations.
- Permit PB018911: Permit PB018911 is an expired permit for exhausting tailpipe emissions from the same New Hope Automobile, Inc. autobody shop at 925 61st Street. As Google satellite imagery and reviews of the autobody shop indicate that it is active, industrial source analysis was conducted for the permit operations.
- Potential Unpermitted Site at 937 60th Street: An auto repair shop known as Ace Tech Auto Repair Inc. is located at 937 60th Street. Due to the potential for air toxic emissions associated with auto repair shops, this site was identified as a potential unpermitted emission site. Google reviews and interior shop photos determined that the store does not provide autobody painting services. Therefore, an analysis of the 937 60th Street site was not conducted.

The emissions presented in permits PA060498 and PB018911 are associated with the New Hope Automobile, Inc. business at 925 61st Street. The emission source is approximately 38 feet away from the nearest lot line of the Development Site and the Potential Development Site. The list of contaminants and their corresponding hourly and annual emission rates was obtained from the permit records.

The emission rates and results of this analysis are presented in **Table 5-3**. All pollutant concentrations except for 24-hour $PM_{2.5}$ and 1-hour NO_2 were estimated using Table 17-3 of the *CEQR Technical Manual* and the distance between the source to the closest edge of the Development Site and the Potential Development Site. The AERMOD dispersion model was used to estimate 24-hour $PM_{2.5}$ and 1-hour NO_2 impacts from the source to both of the sites. The results indicate that all contaminant concentrations are below their respective NYSDEC DAR-1 SGCs and AGCs. They also show that the concentrations of PM, CO, and NO_2 are below their respective short-term and annual NAAQS. Therefore, significant adverse impacts from industrial sources on the Proposed Project and the Potential Development are not expected.

Table 5-3 Results of Industrial Source Analysis

Chemical Name	CAS	Short-term Emission Rate (g/s)	Total Short-term Concentration (µg/m³)	SGC/ NAAQS (µg/m³)	Annual Emission Rate (g/s)	Total Annual Concentration (µg/m³)	AGC/ NAAQS (µg/m³)
Permit PA060498							
Solids - $PM_{2.5}$	NY075-02-5	5.77E-04	See cumulative	See cumulative	6.68E-06	0.02	See cumulative
Solids - PM_{10}	NY075-00-5	9.41E-04	28	See cumulative	-	-	-
Acetone	00067-64-1	2.54E-02	1,863	180,000	2.90E-04	0.78	30,000
Ligroine	08032-32-4	-	-	-	2.23E-04	0.60	900
Methanol	00067-56-1	5.86E-02	4,300	33,000	6.69E-04	2	4,000
Toluene	00108-88-3	1.17E-01	8,599	37,000	1.34E-03	4	5,000
Permit PB018911							
CO	630-08-0	2.65E-02	4,357	40,250	1.51E-03	1,883	10,350
NO_x	NY210-00-0	1.26E-03	94	188	7.19E-05	27	100
Hydrocarbons - $PM_{2.5}$	NY075-02-5	1.26E-03	See cumulative	See cumulative	7.19E-05	0.19	See cumulative
Hydrocarbons - PM_{10}	NY075-00-5	1.26E-03	37	See cumulative	-	-	-
Cumulative Chemical Totals							
$PM_{2.5}$	NY075-02-5		22	35		6.6	9
PM_{10}	NY075-00-5		103	150			

Notes:
[1] Total CO and PM concentrations include background concentrations from **Table 5-2**. NO_2 concentrations include background concentrations that were included in the model.

Health risk is characterized by using excess cancer risks per one million people for carcinogenic compounds and using non-cancer health risk (i.e., hazard index) for non-carcinogenic compounds. None of the chemicals present have been identified as carcinogenic. Therefore, a cancer risk assessment is not warranted. A hazard index assessment was estimated using procedures from the NYSDEC DAR-1 based on the annual concentrations and AGC levels. The non-cancer hazard index is presented in **Table 5-4**.

Table 5-4 Hazard Index Assessment

Chemical Name	CAS	Hazard Quotient
Methanol	00067-56-1	4.52E-04
Toluene	00108-88-3	7.24E-04
Hazard Index		**0.001**

Source: VHB, 2025.

Because the hazard quotient is well below 1.0, there is no significant toxicity risk from the listed chemicals and a related significant adverse impact would not be expected.

Conclusion

The number of project-generated trips and incremental parking spaces are both below the *CEQR* thresholds that warrant analysis. Therefore, no significant adverse air quality impacts are expected from mobile sources generated by the Proposed Actions.

The Proposed Project and the Potential Development are expected to have all-electric HVAC and hot water systems. Therefore, significant adverse impacts are not expected from the HVAC and hot water systems of the Proposed Project or the Potential Development. To formalize this commitment, an (E)-Designation (E-xxx) for air quality would be placed on both sites.

The analysis of existing light industrial/manufacturing uses in the surrounding study area determined that no significant adverse air quality impacts are expected from these types of sources on the receptors introduced as a result of the Proposed Actions. There were no large/major sources identified within the study area, and therefore a significant adverse impact from such sources is not expected.

Overall, no significant adverse air quality impacts are anticipated from mobile or stationary sources of air pollution associated with the Proposed Actions.

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6

Noise

The goal of this section is to determine whether the Proposed Actions would result in increased noise exposure at existing sensitive receptors and whether new receptors would be introduced into an acceptable ambient noise environment.

Introduction

As detailed in **Part I: Project Description**, the Proposed Actions would facilitate the development of a new approximately 144,834-gross-square-foot (gsf) mixed-use residential and commercial building at 900 60th Street (Block 5715, Lot 6; the Development Site) in the Sunset Park neighborhood of Brooklyn. The development would consist of approximately 115,379 gsf (96,045-zoning square foot [zsf]) of residential space (including 4,947 gsf of mechanical space), approximately 11,955 gsf of commercial space on the ground floor, and 50 non-attended accessory parking spaces on the cellar level (the Proposed Project). The Proposed Project would provide approximately 140 dwelling units (DUs), 28 to 42 units (20 to 30 percent) of which would be affordable pursuant to Mandatory Inclusionary Housing (MIH) requirements. The building would be 12 stories and approximately 145 feet tall (190 feet with bulkhead).

The Proposed Actions could also facilitate development on Lot 4, a non-Applicant-owned lot (the Potential Development Site), consisting of up to 12-stories and 145-feet-tall (190 with bulkhead), totaling approximately 27,000 gsf. The building on the Potential Development Site could include approximately 4,000 gsf of commercial space on the ground floor and approximately 27 DUs, of which 5 to 8 units would be designated as permanently affordable pursuant to MIH.

The Development Site is the only Applicant-owned lot within the Rezoning Area (see **Figure 6-1**). The Development Site is a corner lot with 180 feet of frontage on 60th Street and 100 feet of frontage on 9th Avenue. The Development Site has a total lot area of 18,000 square feet (sf) and is currently improved with a single-story, approximately 20-foot-tall, 18,000 gsf, commercial building constructed in 1964 that has full lot coverage. The Development Site has one curb cut that is used for

loading and is accessed via 60th Street. The Potential Development Site has a lot area of 4,000 sf with 40 feet of frontage on 9th Avenue. It is improved with a three-story 9,570-gsf mixed-use building containing commercial and community facility uses.

Figure 6-1 Ambient Noise Measurement Locations



The Rezoning Area is located on a block bounded by 60th Street to the northeast, 61st Street to the southwest, 9th Avenue to the northwest, and Fort Hamilton Parkway to the east. 9th Avenue and 60th Street are both wide, two-way streets. 61st Street is a northwest bound, narrow, one-way street. The Rezoning Area includes four tax lots in addition to the Development Site: Block 5715, Lots 1, 2, 3, 4.

Because the Proposed Actions would introduce new noise-sensitive receptors to the Development Site, and potentially to the Potential Development Site, a noise assessment is required under CEQR to determine if:

- The Proposed Actions would significantly increase sound levels from mobile and stationary sources at existing noise receptors adjacent to the Development Site, including residential, commercial, and institutional land uses; and,
- New noise receptors introduced at the Development Site and Potential Development Site would be in an acceptable ambient sound level environment.

Per the *2025 CEQR Technical Manual*, a noise analysis is appropriate if an action would generate mobile or stationary sources of noise or would be located in an area with high ambient noise levels. Mobile sources include vehicular traffic, stationary sources include rooftop equipment such as emergency generators, cooling towers, and other mechanical equipment.

The noise assessment includes the following:

- Background on metrics used to describe noise.
- The methodology and criteria used to assess potential impacts.
- An assessment of the potential for the Proposed Actions to significantly affect existing receptors due to the introduction of new mobile or stationary sources.
- An evaluation of the ambient sound levels at new receptor locations.

Noise Background

Noise is defined as unwanted or excessive sound. Sound becomes unwanted when it interferes with normal activities such as sleep, work, or recreation. How people perceive sound depends on several measurable physical characteristics. These factors include:

- **Level:** Sound level is based on the amplitude of sound pressure fluctuations and is often equated to perceived loudness.
- **Frequency:** Sounds are comprised of acoustic energy distributed over a variety of frequencies. Acoustic frequencies, commonly referred to as tone or pitch, are typically measured in Hertz (Hz). Pure tones have energy concentrated in a narrow frequency range and can be more audible to humans than broadband sounds. Sound levels are most often measured on a logarithmic scale of decibels (dB). The decibel scale compresses the audible acoustic pressure levels which can vary from the threshold of hearing (0 dB) to the threshold of pain (120 dB). Because sound levels are measured in dB, the addition of two sound levels is not linear. Adding two equal sound levels results in a 3 dB increase in the overall level. Research indicates the following general relationships between sound level and human perception:
  - A 3-dB increase is a doubling of acoustic energy and is the threshold of perceptibility to the average person.

- A 10-dB increase is a ten-fold increase in acoustic energy and is perceived as a doubling in loudness to the average person.

Audible sound is composed of acoustic energy over a range of frequencies typically from 20 to 20,000 Hz. The human ear does not perceive sound levels at each frequency as equally loud. To compensate for this phenomenon in perception, a frequency filter known as A-weighting (dBA) is used to evaluate environmental noise levels. **Table 6-1** presents a list of common outdoor and indoor sound levels.

Table 6-1 Common Indoor and Outdoor Sound Levels

	Sound Pressure		Sound Level	
Outdoor Sound Levels	**μPa**		**dBA**	**Indoor Sound Levels**
	6,324,555	-	110	Rock Band at 5 m
Jet Over-Flight at 300 m		-	105	
	2,000,000	-	100	Inside New York Subway Train
Gas Lawn Mower at 1 m		-	95	
	632,456	-	90	Food Blender at 1 m
Diesel Truck at 15 m		-	85	
Noisy Urban Area—Daytime	200,000	-	80	Garbage Disposal at 1 m
		-	75	Shouting at 1 m
Gas Lawn Mower at 30 m	63,246	-	70	Vacuum Cleaner at 3 m
Suburban Commercial Area		-	65	Normal Speech at 1 m
	20,000	-	60	
Quiet Urban Area—Daytime		-	55	Quiet Conversation at 1 m
	6,325	-	50	Dishwasher Next Room
Quiet Urban Area—Nighttime		-	45	
	2,000	-	40	Empty Theater or Library
Quiet Suburb—Nighttime		-	35	
	632	-	30	Quiet Bedroom at Night
Quiet Rural Area—Nighttime		-	25	Empty Concert Hall
Rustling Leaves	200	-	20	
		-	15	Broadcast and Recording Studios
	63	-	10	
		-	5	
Reference Pressure Level	20	-	0	Threshold of Hearing

μPA: MicroPascals describe pressure. The pressure level is what sound level monitors measure.
dBA: A-weighted decibels describe pressure logarithmically with respect to 20 μPa (the reference pressure level).
Source: Highway Noise Fundamentals, Federal Highway Administration, September 1980.

Because sound levels change over time, a variety of sound level metrics can be used to describe environmental noise. The following is a list of sound level descriptors that are used in the noise analysis:

› L_{10} is the sound level that is exceeded for 10 percent of the time during a given time period. Therefore, it represents the higher end of the range of sound levels. The unit is commonly used

in the *CEQR Technical Manual* to evaluate acceptable thresholds for noise exposure for new receptors that would be introduced by a proposed action.

- L_{eq} is the continuous equivalent A-weighted sound level. The L_{eq} is a single value that contains the same sound energy as the actual fluctuating sound levels over a given period of time. Therefore, the L_{eq} considers how loud noise events are during the period, how long they last, and how many times they occur. L_{eq} is commonly used to describe environmental noise and relates well to human annoyance. In accordance with the *CEQR Technical Manual*, the L_{eq} sound level is used to assess the potential for significant increases in noise due to a proposed action at existing receptors in the study area.
- L_{dn} is the day-night average A-weighted sound level. Similar to L_{eq}, L_{dn} accounts for how loud noise events are and how long they last. The L_{dn} accounts for how many noise events occur over a 24-hour period and applies a 10-decibel penalty to events occurring from 10:00 PM to 7:00 AM due to the greater sensitivity to noise occurring at night.

Assessment Methodology

This noise analysis considers two receptor types when evaluating noise for the Proposed Actions: existing and new receptor(s). Since the Proposed Actions would introduce new residential uses, these are considered "new receptors."

The analysis also considers "existing receptors" which are the existing noise-sensitive uses, such as residential and commercial properties surrounding the Development Site and the Potential Development Site. The following describes the results of the noise assessment for these two types of receptors.

Noise Assessment for Existing Receptors

Noise impact at existing nearby sensitive receptors is assessed according to the relative increase between No-Action condition and With-Action condition sound levels, expressed in terms of the L_{eq} sound level, in accordance with the *CEQR Technical Manual*. If mobile or stationary sources associated with the Proposed Actions would increase L_{eq} sound levels by 3 dB or more and absolute levels would exceed 65 dBA L_{eq}, then the Proposed Actions would result in a significant adverse noise impact. Additionally, if No-Action condition noise levels are 60 dBA L_{eq} or less, a 5-dB increase would be considered a significant adverse noise impact.

Mobile Sources

The dominant noise source in the area is the MTA Broadway Local N subway line located southwest of the Development Site. The Proposed Actions would not generate sufficient vehicular traffic to exceed the threshold for a detailed transportation analysis, according to Table 16-1 in the *CEQR Technical Manual*. Furthermore, with the relatively moderate number of vehicles on the local roadway network, the Proposed Actions would not result in a doubling of noise passenger car equivalents (PCEs), which would be necessary to cause a 3-dBA increase in noise levels. Therefore, the Proposed Actions would not result in a significant adverse vehicular noise impact and further analysis is not warranted.

Stationary Sources

The Proposed Actions are not anticipated to introduce any substantial stationary source noise generators, such as unenclosed cooling or ventilation equipment, loudspeaker systems, stationary diesel engines, car washes, or other similar types of uses. The new building's heating, ventilation, and air conditioning (HVAC) equipment would incorporate sufficient noise reduction to comply with applicable noise regulations and standards, including the standards contained in the revised New York City Noise Control Code. This would ensure that mechanical equipment does not result in any significant increases in noise levels by itself or cumulatively with other project noise sources.

Noise Assessment for New Receptors

With-Action noise conditions at new sensitive receptors that would be introduced by the Proposed Actions are evaluated according to absolute exterior sound level. The noise exposure guidelines for acceptable ambient conditions depend on the type of land use; for residential buildings, the goal is to maintain interior noise levels (L_{dn}) of 40 dBA or lower. With-Action exterior sound levels are evaluated to determine if receptors would be in an acceptable ambient sound level environment. It is generally assumed that without specific information on a building's window and wall construction, the outdoor-to-indoor noise reduction of the building is 25 decibels. Therefore, exterior ambient sound levels (L_{dn}) exceeding 65 dBA at residential receptors (which would equate to an interior noise level of 40 dBA) are considered to be Marginally Unacceptable and the need to provide window/wall sound attenuation that is sufficient to reduce interior sound levels to acceptable levels must be considered.

Since the Proposed Actions would introduce residential and commercial uses to the Development Site, and to the Potential Development Site, the L_{dn} sound level is used to evaluate the acceptability of the proposed on-site uses with the noise environment.

Noise Exposure Guidelines

The *CEQR Technical Manual* provides noise exposure guidelines for assessing ambient noise conditions at new residential, community facility, and commercial office receptors, as shown in **Table 6-2**.

Existing Sound Levels

Noise monitoring was conducted around the perimeter of the Development Site, including on the 9th Avenue façade near the Potential Development Site, at three locations from June 17th to June 18th, 2025, in accordance with the *CEQR Technical Manual*. The locations of the two short-term measurement sites and one long-term measurement site are shown in **Figure 6-1**. Noise monitors were placed with a minimum of five feet between the microphone and nearby reflecting surfaces. With the existing subway track approximately 250 feet southwest of the Development Site, train noise may make a major contribution to the noise environment in this area. Therefore, a sound meter was placed on the rooftop of the existing building on the Development Site for more than 24 hours to conduct a long-term noise measurement per *CEQR Technical Manual* guidance. Additionally, 20-minute noise measurements were conducted during the morning peak period (7:00 – 9:00 AM), midday period (12:00 – 2:00 PM), and evening peak period (4:00 – 6:00 PM). Measurements were conducted using Type I sound level meters, which were calibrated by a laboratory following

procedures traceable to the National Institute of Standards and Technology, and field-calibrated at the start and end of each measurement.

As shown in **Table 6-3**, measured L_{10} levels range from 60.9 dBA to 70.0 dBA, and the existing L_{dn} level at the rooftop of the Development Site is 67.6 dBA. Hourly noise levels are shown in **Figure 6-2**.

Table 6-2 Noise Exposure Guidelines for Use in City Environmental Impact Review

Receptor Type	Time Period	Acceptable General External Exposure	Airport[3] Exposure	Marginally Acceptable General External Exposure	Airport[3] Exposure	Marginally Unacceptable General External Exposure	Airport[3] Exposure	Clearly Unacceptable General External	Airport[3] Exposure
1. Outdoor area requiring serenity and quiet[2]		L10 ≤ 55 dBA							
2. Hospital, Nursing Home		L10 ≤ 55 dBA		55 <L10≤ 65 dBA		65<L10≤80 dBA		L10>80dBA	
3. Residence, residential hotel or motel	7 am to 10 pm	L10 ≤ 65dBA		65 <L10≤ 70 dBA		70<L10≤80 dBA		L10>80dBA	
	10 pm to 7 am	L10 ≤ 55dBA		55 <L10≤ 70 dBA		70<L10≤80 dBA		L10>80dBA	
4. School, museum, library, courthouse of worship, transient hotel or motel, public meeting room, auditorium, out- patient public health facility		Same as Residential Day (7 AM-10 PM)	Ldn ≤ 60 dBA	Same as Residential Day (7 AM-10 PM)	60 dBA < Ldn ≤ 65 dBA	Same as Residential Day (7 AM- 10 PM)	65 dBA < Ldn ≤ 75 dBA	Same as Residential Day (7 AM –10 PM)	75 dBA ≤ Ldn
5. Commercial or office		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM –10 PM)		Same as Residential Day (7 AM-10 PM)	
6. Industrial, public areas only[4]	Note 4	Note 4		Note 4		Note 4		Note 4	

Source: Table 19-2, *2025 CEQR Technical Manual*.

(i) In addition, any new activity shall comply with Impact Thresholds detailed in Section 410.

[1] Measurements and projections of noise exposures are to be made at appropriate heights above site boundaries as given by American National Standards Institute (ANSI) Standards; all values are for the worst hour in the time period.

[2] Tracts of land where serenity and quiet are extraordinarily important and serve as important public need, and where the preservation of these qualities is essential for the area to serve its intended purpose. Such areas could include amphitheaters, particular parks or portions of parks, or open spaces dedicated or recognized by appropriate local officials for activities requiring special qualities of serenity and quiet. Examples are grounds for ambulatory hospital patients and patients and residents of sanitariums and nursing homes.

[3] One may use the FAA-approved DNL contours supplied by the Port Authority of New York and New Jersey (PANYNJ), or the noise contours may be computed from the federally approved Aviation Environmental Design Tool (AEDT) Computer Model using flight data supplied by the PANYNJ.

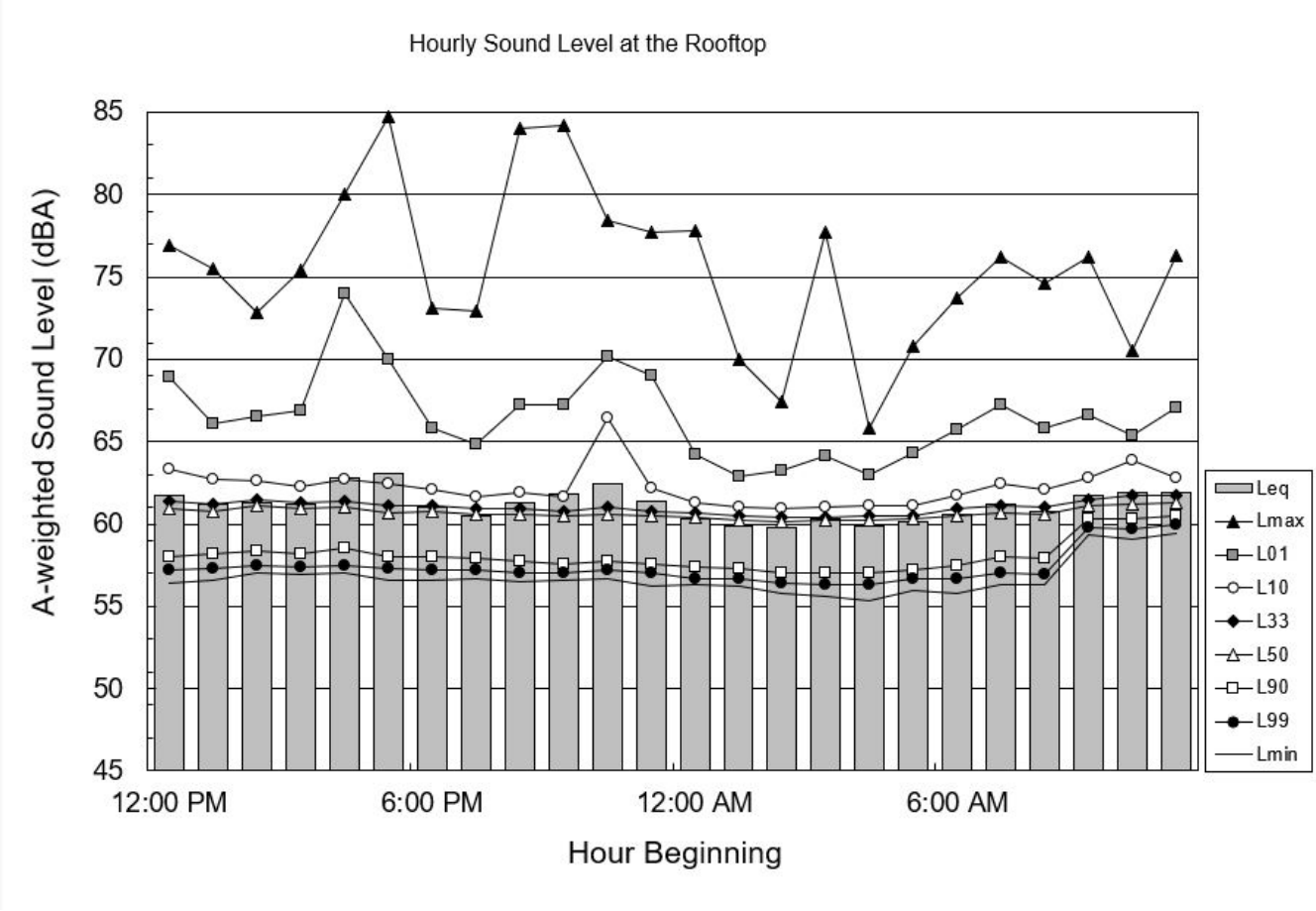
[4] External Noise Exposure standards for industrial areas of sounds produced by industrial operations other than operating motor vehicles or other transportation facilities are spelled out in the New York City Zoning Resolution, Sections 42-20 and 42-21. The referenced standards apply to M1, M2, and M3 manufacturing districts and to adjoining residence districts (performance standards are listed by octave bands). Sources: New York City Department of Environmental Protection (adopted policy 1983).

Table 6-3 Existing Ambient Sound Level Measurements

#	Monitoring Location	Period	Duration	L_{eq}	L_{min}	L_{max}	L_{10}	L_{50}	L_{90}
1	60th Street	Morning	20 mins	66.0	52.5	87.5	67.6	61.2	55.7
		Midday	20 mins	66.2	52.9	82.9	**70.0**	61.6	56.3
		Evening	20 mins	63.7	53.1	86.7	65.9	60.0	56.0
		Saturday	20 mins	66.2	55.6	86.3	68.4	62.8	58.7
2	9th Avenue	Morning	20 mins	62.8	49.7	79.1	65.7	58.8	54.1
		Midday	20 mins	60.7	50.4	79.2	62.3	57.4	53.8
		Evening	20 mins	63.7	48.4	81.7	65.0	56.9	52.3
		Saturday	20 mins	58.3	52.4	72.8	60.9	57.0	53.8
3	Rooftop	Ldn	24-hr				**67.6**		

Bold Numbers indicate the noise levels fall within Marginally Unacceptable criteria, which requires noise attenuation.

Figure 6-2 Hourly Noise Levels



Acceptability Assessment

The *CEQR Technical Manual* provides noise exposure guidelines for assessing ambient sound levels, as shown in **Table 6-4**. Based on these noise exposure guidelines, noise impact has been assessed to determine the level of acceptability for new sensitive receptors at the Development Site and Potential Development Site.

According to the noise exposure guidelines in the *CEQR Technical Manual*, the existing L_{dn} sound level at Location 3 (Rooftop) of 67.6 dBA is considered **Marginally Unacceptable**. The existing L_{10} sound levels at Location 1 (60th Street) are between 70 dBA and 80 dBA, which are considered **Marginally Unacceptable**. The existing L_{10} sound levels at Location 2 are below 70 dBA and are considered **Acceptable**.

Based on the finding of **Marginally Unacceptable** sound levels, sufficient outdoor-to-indoor sound attenuation of the window/wall must be specified to provide acceptable sound attenuation for interior spaces at the Development Site and Potential Development Site.

Table 6-4 Required Attenuation Values to Achieve Acceptable Interior Noise Levels

	Marginally Unacceptable				Clearly Unacceptable
Vehicular Traffic	$70<L_{10}\leq73$	$73<L_{10}\leq76$	$76<L_{10}\leq78$	$78<L_{10}\leq80$	$80<L_{10}$
Train	$65<L_{dn}\leq68$	$68<L_{dn}\leq71$	$71<L_{dn}\leq73$	$73<L_{dn}\leq75$	$75<L_{dn}$
Attenuation	(I) 28 dBA	(II) 31 dBA	(III) 33 dBA	(IV) 35 dBA	See note [B]

Notes:

[A] The above composite window-wall attenuation values are for residential dwellings and community facility development. Commercial office spaces and meeting rooms would be 5 dBA less in each category. All of the above categories require a closed window situation and hence an alternate means of ventilation.

[B] The required attenuation value is the difference between L_{build} and $L_{interior}$, using the appropriate noise descriptor

Where: L_{build} is the projected noise level under the build condition rounded up to the whole number

$L_{interior}$ is the designed interior noise level (45 dB(A) for vehicular noise, 40 dB(A) for aircraft and train noise)

Source: New York City Department of Environmental Protection (*2025 CEQR Technical Manual*, Table 19-3)

The composite outdoor-to-indoor transmission classification (OITC) value of the window-wall structure is used to determine the necessary sound attenuation. Sound attenuation measures would be achieved through construction materials and techniques with sufficient OITC-rated windows and walls. Since the measured L_{dn} sound level at Location 3 is 67.6 dBA, the minimum composite window/wall attenuation required for south facade is 28 dBA. Based on the measurement result (L_{10}) during midday peak period at Location 1, the minimum composite window/wall attenuation required for the north facade is 28 dBA.

To implement this attenuation requirement, an (E) Designation for noise would be applied to the Development Site and the Potential Development Site specifying the appropriate amount of window/wall attenuation and the need for alternate means of ventilation. The text for the (E) Designation would be as follows:

Block 5715, Lot 4 (Potential Development Site)

In order to ensure an acceptable interior noise environment, future residential/community facility uses must provide a closed-window condition with a minimum of 28 dBA window/wall attenuation on the

facade facing 61st Street, to maintain an interior noise level (L_{dn}) not greater than 40 dBA for residential uses; and a minimum of 28 dBA window/wall attenuation on the facade facing 60th Street, to maintain an interior noise level (L_{10}) not greater than 45 dBA for residential uses. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, well-sealed air conditioners, package-terminal air conditioners, or central air conditioning.

Block 5715, Lot 6 (Development Site)

In order to ensure an acceptable interior noise environment, future residential/community facility uses must provide a closed-window condition with a minimum of 28 dBA window/wall attenuation on the facade facing 61st Street, to maintain an interior noise level (L_{dn}) not greater than 40 dBA for residential uses; and a minimum of 28 dBA window/wall attenuation on the facade facing 60th Street, to maintain an interior noise level (L_{10}) not greater than 45 dBA for residential uses. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, well-sealed air conditioners, package-terminal air conditioners, or central air conditioning.

Conclusion

A noise assessment was conducted to determine whether the Proposed Actions would significantly increase sound levels from mobile and stationary sources at existing noise receptors on the Development Site, and if new noise receptors that would be introduced by the Proposed Project would be in an acceptable ambient sound level environment.

The dominant noise source in the area is the MTA Broadway Local N subway line located southwest of the Development Site. Since the Proposed Action would not generate sufficient vehicular traffic to exceed the threshold for a detailed transportation analysis, according to Table 16-1 in the *CEQR Technical Manual*, therefore with the relatively moderate numbers of vehicles in the immediate area, the Proposed Action would not result in a doubling of noise PCEs, which would be necessary to cause a 3-dBA increase in noise levels. Therefore, the Proposed Action would not cause a significant adverse vehicular noise impact.

The Proposed Actions are not anticipated to include any substantial stationary source noise generators. The design and specifications for the building's mechanical equipment would incorporate sufficient noise reduction devices that would comply with applicable noise regulations and standards, including the standards contained in the revised New York City Noise Control Code.

24-hr noise monitoring was conducted on the rooftop of the existing one-story commercial building, from June 17th to June 18th, 2025, in accordance with the *CEQR Technical Manual.* Based on measured L_{dn} sound levels of 67.8 dBA, a composite outdoor-to-indoor window/wall sound attenuation of 28 dBA or more is required for the facades facing 61st Street and 60th Street of the Development Site and the Potential Development Site to obtain acceptable interior noise conditions for residential and community facility uses as illustrated in **Figure 6-3**. Additionally, alternative means of ventilation such as well-sealed air conditioners, package-terminal air conditioners, or central air conditioning is required.

Figure 6-3 Recommended (E) Designation



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7

Effects on Disadvantaged Communities

This section assesses the potential for the Proposed Actions to cause or increase a disproportionate pollution burden on disadvantaged communities.

Introduction

According to the *2025 CEQR Technical Manual,* the purpose of a disadvantaged community assessment is to evaluate whether an action may cause or increase a disproportionate pollution burden on a disadvantaged community. A disadvantaged community (DAC) is defined under the 2019 New York State Climate Leadership and Community Protection Act (CLCPA) as a community that bears burdens of negative public health effects, environmental pollution, impacts of climate change, and possess certain socioeconomic criteria, or comprise high-concentrations of low- and moderate- income households. This assessment of effects on disadvantaged communities considers the impacts identified using the *CEQR Technical Manual* and uses the framework of draft State Environmental Quality Review (SEQR) guidance issued by New York State Department of Environmental Conservation (NYSDEC), as described in detail below.

Because the Development Site is located within a half mile of a census tract containing a DAC, an assessment of the Proposed Actions' potential effects on DACs is warranted.

Methodology

The *CEQR Technical Manua*l predates changes to the Environmental Conservation Law § 8-0109 and does not provide guidance regarding the scope of this analysis. NYSDEC proposed a rule in January 2025 that provides additional considerations regarding this new statutory provision. Draft NYSDEC regulations and guidance were consulted to develop this assessment. The assessment in this section incorporates that draft guidance and discusses the impact categories outlined in the *CEQR Technical Manual*.

Based on guidance in the Appendix C of New York State Environmental Quality Review Act-Environmental Justice Siting Law Amendments Draft SEQR Guidance,[1] an evaluation of a proposed action's potential effects on DACs is warranted if a project is located in or within half a mile of an identified disadvantaged community—or if its impacts could otherwise affect a disadvantaged community. The next step is to identify direct or indirect impacts and the scale of which related to pollution (e.g., wastewater discharges, air emissions, noise, odor, solid or hazardous waste generation, transportation, or disposal) that could occur because of the Proposed Actions. The last step is to determine whether the Proposed Actions would cause or increase a pollution burden within a DAC.

Study Area

DACs in New York State were identified based on criteria adopted in 2023 by the Climate Justice Working Group (CJWG), a group composed of representatives from State agencies and environmental justice groups. The CJWG used 45 indicators to identify 35 percent of Census Tracts within New York State as DACs. The criteria include multiple indicators that represent the environmental burdens or climate change risks within a community, or population characteristics and health vulnerabilities that can contribute to more severe adverse effects of climate change.[2]

As shown in **Figure 7-1** the Development Site is located within a half-mile of a DAC identified as having comparatively higher burdens and vulnerabilities – Brooklyn Census Tract 122.[3]

[1] NYSDEC (2025), https://dec.ny.gov/sites/default/files/2025-01/part617risguidanceappc.pdf

[2] NYSDEC (2025), https://climate.ny.gov/resources/disadvantaged-communities-criteria/

[3] The Disadvantaged Community Assessment Tool (DACAT) identifies DACs as having either 1) comparatively higher existing burdens or vulnerabilities and therefore an increased likelihood that a proposed action may have a moderate to large impact on the DAC, or 2) having comparatively lower existing burdens or vulnerabilities and therefore a decreased likelihood that a proposed action may have a moderate or large impact on the DAC. The methodology used by NYSDEC to delineate these categories is provided here: https://es.dec.ny.gov/sites/default/files/2025-01/part617risdactoolappa.pdf

Figure 7-1 Disadvantaged Communities Study Area



Source: NYC DCP (2025); NYC Parks (2025); NYS Office of Information Technology Services Geospatial Data Services (2025)

Disadvantaged Communities Assessment

Impact Summary

The foregoing sections of the EAS found that the Proposed Actions would not result in significant adverse impacts in any of the CEQR technical areas. Descriptions of the Proposed Actions' potential effects with respect to pollution, including new noise sources or expansions/modification of existing noise sources; emissions of air pollutants including mobile emissions; wastewater discharges; generation of odors; light pollution; new or modified radiation sources; new or modified sources of solid waste generation, management, or disposal are provided below. This assessment also considers the potential for any combination of moderate effects that would, together, result in an impact.

Hazardous Materials

As discussed in **Section 4, Hazardous Materials**, the Phase I ESA identified a Historic Recognized Environmental Condition (HREC) at the Development Site. Potential impacts relating to this condition would be addressed through the placement of a hazardous materials (E)-Designation (E-XXX) on the Development Site and Potential Development Site (Brooklyn Block 5715, Lot 6 and Lot 4, respectively). Compliance in association with the hazardous materials (E)-Designation on both sites would be conducted under the administration of OER. Therefore, the Proposed Actions would facilitate all necessary site remediations required to reduce the potential for hazardous materials exposure to future site occupants.

In addition to the above, regulatory requirements pertaining to building materials containing asbestos-containing materials (ACM), lead-based paint (LBP) and/or polychlorinated Biphenyls (PCBs) would be addressed under standard demolition/renovation procedures. With these measures in place, no significant adverse impacts with respect to hazardous materials are anticipated. As such, implementation of the Proposed Actions would not result in significant adverse impacts related to hazardous materials. As such, the Proposed Actions would not result in a pollution burden related to hazardous materials.

Wastewater

As discussed in **Part II: Supplemental Analyses**, the Proposed Project would not meet the relevant development thresholds indicating that analysis of water and sewer infrastructure would be warranted, per the *CEQR Technical Manual,* and it is anticipated that the City sewer system would have ample capacity to handle any additional wastewater generated by the Proposed Project.

The implementation of best management practices (BMPs) would be required under NYC's Unified Stormwater Rule, which updated and aligned water quantity requirements in the city's combined sewer drainage areas with water quality requirements in separately sewered drainage areas, providing a comprehensive, citywide stormwater management policy for public and private development. Therefore, stormwater retention would be required onsite for small and frequent rainfall events to prevent an increase in combined sewer overflow (CSO) events. Therefore, the Proposed Actions would not cause a pollution burden related to wastewater.

Solid Waste and Sanitation Services

As discussed in **Part II: Supplemental Analyses**, the Proposed Actions would not meet the relevant development thresholds indicating that analysis of solid waste and sanitation services is warranted, per the *CEQR Technical Manual,* and City sanitation services would have ample capacity to handle any additional solid waste generated by the Proposed Project.

Transportation

As discussed in **Part II: Supplemental Analyses**, the Proposed Actions would not exceed the thresholds for transportation analysis in Zone 2 (200 DUs, 15,000 sf of local retail). Therefore, the Proposed Actions would not result a pollution burden related to increased traffic, including with respect to mobile-source noise or air quality. The construction of the Proposed Project would be completed in less than 24 months and would therefore be considered short-term and unlikely to result in related significant adverse impacts. As such, the Proposed Actions would not result in a pollution burden related to construction transportation.

Air Quality

As discussed in **Section 5, Air Quality**, an (E)-Designation (E-XXX) for air quality would be placed on the Development Site and the non-Applicant-owned Potential Development Site to ensure that the HVAC systems and hot water equipment are powered by electricity only with no venting or stacks, or an equally protective alternative (e.g., steam), to avoid any potential significant adverse air quality impacts in future development on these sites. Additionally, no significant adverse air quality impacts are expected from the mobile sources generated by the project. No significant adverse air quality impacts on the Proposed Project are expected from the existing light industrial/manufacturing uses in the surrounding study area.

As such, no significant adverse air quality impacts are anticipated from mobile or stationary sources of air pollution associated with the Proposed Project and the Proposed Actions would not result in a pollution burden related to air quality.

Noise

As discussed in **Section 6, Noise**, the Proposed Actions would not result in a doubling of noise passenger car equivalents (PCEs), which would be necessary to cause a 3-dBA increase in noise levels. Therefore, the Proposed Actions would not result in a significant adverse mobile source noise impact. The Proposed Actions are not anticipated to introduce any substantial stationary source noise generators. The design and specifications for the proposed building's mechanical equipment would incorporate sufficient noise reduction devices that would comply with applicable noise regulations and standards, including the standards contained in the revised New York City Noise Control Code.

Based on the highest measured noise level of 67.6dBA (L_{dn}) on the façade facing 61st Street, and the highest measured noise level of 70.0 dBA (L_{10}) on the façade facing 60th Street, the minimum composite window/wall attenuation required for both building facades is 28 dBA. Additionally, alternate means of ventilation such as well-sealed air conditions, package-terminal air conditioners, or central air conditioning are required. To implement these requirements, an (E)-Designation for noise (E-XXX) would be applied to the Development Site and the non-Applicant-owned Potential Development Site specifying the appropriate amount of window/wall attenuation and the need for alternate means of ventilation.

The construction of the Proposed Project would be completed in less than 24 months and would therefore be considered short-term and unlikely to result in related significant adverse impacts. Additionally, all construction sites require preparation of a noise mitigation plan as outlined in Section 24-219 of the Administrative Code of the City of New York. Thus, the effects of construction related to noise are expected to be minimal.

As such, the Proposed Actions would not result in a pollution burden related to noise.

Cumulative Effects

As the Proposed Actions would not result in significant adverse impacts to any of the above-referenced technical areas, it is not expected that a combination of moderate effects from multiple technical areas would result.

Conclusion

The Proposed Actions would not result in significant adverse impacts in any of the technical areas analyzed in this EAS. The Proposed Actions would not result in negative effects with respect to pollution related to any of the areas as discussed above. Furthermore, the Proposed Project does not have the potential to result in any combination of moderate effects that would, together, result in an impact to DACs. As such, the Proposed Project would not result in a disproportionate pollution burden on DACs with respect to any of the assessed technical areas, including cumulative effects from multiple technical areas.